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ABSTRACT

In an effort to list and clarify policies in the various areas of Midwestern University, this 1973 faculty handbook is divided by policy area. Areas are: general personnel, university affairs, academic affairs, student affairs, and business affairs. After a brief introduction explaining the university's philosophy, topics are discussed, including employment procedures, personnel records, development of proposals for federal or foundation support, academic freedom and responsibility, faculty employment policies, faculty organizations, student academic regulations, student organizations, student financial aid, university budgets, and use of facilities. (KE)

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POLICIES

AND

FISCAL REGULATIONS

MIDWESTERN UNIVERSITY

WICHITA FALLS, TEXAS

EFFECTIVE SEPTEMBER 1, 1973

HE 007 369

POLICIES AND FISCAL REGULATIONS

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POLICIES AND FISCAL REGULATIONS

INTRODUCTION

The life and work of the University is under the control and direction of the Board of Regents. The Board is responsible for general policy, subject only to the laws of Texas governing higher education heretofore and hereafter passed by the Legislature, and to the Coordinating Board, Texas College and University System.

This document is an effort to list and clarify policies in the various areas of University life for the information of anyone concerned but especially for the administration, faculty and students of the University. For purposes of order and ease of reference the following divisions of policies have been made: General Personnel, University Affairs, Academic Affairs, Student Affairs and Business Affairs.

Every employee should become familiar with the complete manual. Revisions will be issued periodically as need demands. As policy changes are announced, each employee should keep his manual up-to-date. Suggestions for the improvement of University relationships are always most welcome.

GENERAL UNIVERSITY POLICIES

Senate Bill No. 6 of the 56th Legislature, creating Midwestern University, states that it shall be the responsibility of the University to ".... teach the liberal arts and sciences of the first class" with such professional programs as necessary ".... in the preparation of its youth for the varied interests and industries in the section in which Midwestern University is located.... ."

The foregoing has led to the following statement of philosophy and objectives.

PHILOSOPHY

The Board of Regents, faculty and staff believe:

That the University is for the student and that, in as far as possible, educational opportunity shall be provided for all eligible students who can profit thereby, advocating consistently the pursuit of excellence, expecting of each individual the fullest development of his abilities.

That the University has a responsibility for providing intellectual leadership to its students and within its community of influence, encouraging intellectual development through access to the accumulated record of human experience, unrestricted questioning of old ideas and responsible inquiry into the validity and significance of new ideas.

That the integrity of teaching, research and learning shall be maintained.

That the University has a responsibility for the total person; therefore its educational program should consist of a broad curriculum of arts and sciences to enable each student to understand himself as a social, intellectual, physical and spiritual being, and adequate professional education for each student to achieve competence in his chosen field.

SCOPE OF ACTIVITY

In order to provide a program within the framework of the philosophy stated, all functions will be integrated into the following areas: Instruction and Research, Student Affairs, University Affairs and Business Affairs.

OBJECTIVES

To accomplish the purposes implied by its philosophy Midwestern University accepts the following responsibilities and objectives:

To make its opportunities available to those who are eligible for admission through completion of secondary education or an equivalent preparation, and who are willing to accept the discipline demanded by excellence.

To provide a program of the highest possible academic excellence which from a basis of knowledge fosters a process of decision-making based on logical habits of inquiry, analysis and evaluation, and competence in communicating to others the results of such efforts.

To provide both at undergraduate and graduate levels the opportunity for such specialization as will prepare the graduate either for immediate employment or for advanced study, and to exhibit and implant an awareness of man's inability to ever complete the process of education.

To provide for the needs of the superior student and to instill in him the realization of his greater responsibility to society.

To plan and conduct the University's program of student services and guidance in terms of each student as a person with individual needs, abilities and potentialities.

To provide the inspiration and means, both to graduates and to the community at large, for continuing intellectual development beyond the years of formal education.

To provide, through the attitudes, actions and programs of the University, an example of adherence to the broadest democratic, ethical and academic ideals to the end that the individual may develop the wisdom and dedication requisite to assuming a role of leadership in a free society.

To provide in graduates the kind of informed, thoughtful and constructive persons who know how to think, to evaluate issues, to distinguish truth from error and who possess an appreciation of the cultural and aesthetic values of life.

To conduct a continuous study and evaluation of the University's philosophy and objectives in order to insure their validity in a changing culture and to endeavor at all times to achieve consistency of actual practice with them.

BASIC POLICIES OF THE UNIVERSITY

As general guides in the achievement of our objectives, the following overall policies have been established:

Midwestern shall operate in the public interest, seeking to serve no private person or private segment of the public to the disadvantage of either the whole or any segment thereof.

Quality shall have precedence over all other considerations.

The University shall always act with integrity.

The University shall strive for justice and equity in all its dealings and relationships.

The University shall be dedicated to a policy of academic freedom.

The University shall support the law regarding discrimination against persons because of race, religion, color or national origin which reads as follows:

> No officer or employee of the state or of a political subdivision of the state, when acting or purporting to act in his official capacity, may:
>
> > refuse to employ a person because of the person's race, religion, color, or national origin;
> >
> > discharge a person from employment because of the person's race, religion, color, or national origin;
> >
> > refuse to issue a license, permit, or certificate to a person because of the person's race, religion, color, or national origin;
> >
> > revoke or suspend the license, permit or certificate of a person because of the person's race, religion, color, or

national origin;

refuse to permit a person to use facilities open to the public and owned, operated, or managed by or on behalf of the state or a political subdivision of the state, because of the person's race, religion, color or national origin;

refuse to permit a person to participate in a program owned, operated, or managed by or on behalf of the state or a political subdivision of the state, because of the person's race, religion, color, or national origin;

refuse to grant a benefit to, or impose an unreasonable burden upon, a person because of the person's race, religion, color, or national origin;

refuse to let a bid to a person because of the person's race, religion, color, or national origin.

The provisions of this Section do not apply to a public school official who is acting under a plan reasonably designed to end discriminatory school practices.

It shall be the irrevocable policy of this University to support loyally the spirit and processes of constitutional government in this United States of America, and the security of this nation.

General University policies related to specific situations are as follows:

That it be the policy of Midwestern University to recognize alumni, former students and other friends of the University who have distinguished themselves and thereby brought honor to the University and credit to themselves.

That an organization, institution or foundation may be also so recognized.

That the forms of recognition be two, (1) a Distinguished Service Award and (2) a Distinguished Achievement Award.

These special recognitions shall not be confused with the conferring of honorary degrees.

Distinguished Service Award

Those considered for this award may be alumni, former students and other friends of the University and less frequently an organization, institution or foundation.

Outstanding service in a combination of two or more of the following areas or an especially distinguished and significant record in one area of service, shall be the basis for nomination: (1) Outstanding service and dedication to the University sustained over a long period of years; (2) evidence that the nominee has added to the prestige of the University because of honors achieved through service to community, state or nation; (3) the recipient should have demonstrated leadership in his particular field through progress and success in his profession or business and through recognition by his colleagues and competitors; (4) although not a necessary qualification, impressive creativity in artistic, literary or scholarly fields would enhance qualifications of a nominated person; and (5) high moral and ethical standards in personal and public life should be characteristic of the nominee.

For alumni and former students approximately ten years should have elapsed after graduation before nomination.

Persons or organizations, institutions and foundations may be nominated by an alumnus, former student or other friend of the University.

A Selection Committee of Regents shall be appointed by the Chairman of the Board of Regents, and may include representatives from the alumni, former students, faculty, students and citizens of Wichita Falls and surrounding area.

This committee shall make recommendation to the Board of Regents for final action of persons and perhaps organizations, institutions or foundations selected from the list of nominees. Should no nominee in either or both categories qualify in the minds of the committee, the award may be passed over in any one year.

The persons and/or organizations, institutions or foundations selected shall be presented with a written citation and awarded a suitably engraved plaque at the annual commencement.

The name of each Distinguished Service awardee shall be engraved on a plate to be added to an appropriately engraved permanent plaque which shall hang in the main foyer of the Administration Building or at such other place as may be selected by the administration of the University.

Distinguished Achievement Award

The regulations governing the Distinguished Achievement Award shall be the same as for the Distinguished Service Award except for the criteria for nomination, and that organizations, institutions and foundations are not to be considered.

Whereas the purpose of the Distinguished Service Award is to show appreciation for outstanding and noteworthy activity which is beneficial to the University and community, state or nation, the purpose of the Distinguished Achievement Award is recognition of outstanding and noteworthy creative activity in a chosen field. It may be literature, research, a profession such as law, medicine, teaching or engineering, or in invention or any field in which the person has concentrated as his chosen area of study and contribution.

The recipient should be a person of high reputation, to whom the presenting of an award would bring prestige to the University.

Naming Buildings

Meritorious service to the University through an extraordinarily long period of years of service or extraordinary merit for a shorter time shall be the basis for naming a building for a person. At least five years shall have elapsed following his death before such recognition is made.

A gift providing for at least one-half of the cost of a building and equipment may be a sufficient basis for naming it after a person, living or deceased.

Classroom or other academic buildings shall include the name of the field or department housed therein. This name may be preceded by that of a person as determined in (1) or (2) above. Example: _____ Hall of Science or _____ Science Hall.

Exceptions to any of the preceding provisions shall be made only by unanimous consent of all members of the Board of Regents.

PART I

GENERAL PERSONNEL POLICIES

The following are policies not included under fiscal regulations but which are related to personnel and their relationship to the University.

SECTION 1. ADMISSION TO UNIVERSITY EVENTS

Each member of the full-time staff is entitled to two admissions to University events upon presentation of I.D. card (not included are events sponsored by campus organizations). Where reserved seats are involved (season ticket or one performance), these must be secured from the proper source gratis or for whatever fee is charged. In order to avoid embarrassment, holders of I.D. cards should check ahead of time with the Office of the Vice President for Student Affairs concerning the validity of such cards for special attractions. The second individual admitted on the I.D. card must be present for admission with the holder. Children of staff members, if under 12 years of age, may be admitted free; however, in the case of reserved seats, each individual must have a seat. All staff members are encouraged to attend University-wide events. Retired personnel receive a permanent I.D. card which entitles them to full University privileges.

SECTION 2. POLICIES RELATING TO AUDITORIUM, CENTER, ARENA THEATER, CENTER DIRECTOR, AND PHYSICAL EDUCATION BUILDING

The use of the Auditorium, Center and Arena Theater is limited to campus and State-sponsored activities and to programs directly related to the educational and cultural programs of this University.

1. General Programs: In programs which require no scenery or props other than the general drapes, lighting, piano and rostrum, the custodian will set up, operate and restore order.

2. Productions: In plays, band and choir concerts, talent shows, etc., involving sets, props and staging other than that specified for small general programs above, the production directors will be entirely responsible for the provision and operation and for complete restoration to proper order at the close of the show and its rehearsals. In case of large productions, 48 hours may be allowed for complete clean-up. (Applies to productions closing on weekends, i.e., Saturday and Sunday are not exempt.)

All programs and allied rehearsals must be scheduled at least 48 hours in advance.

Major productions have prime use of the auditorium two weeks prior to opening night. Production rehearsals may be booked six weeks prior to opening night. However, such production rehearsals must yield to the booking of other

programs and their allied rehearsals up to the time when the production assumes the two weeks' priority. (Not applicable to the Arena Theater.)

The Arena Theater will not be rented except in exceptional circumstances and only then after clearance with the Department of Speech and Drama.

After all general type programs and rehearsals, the entire stage area, including the backstage and wings, must be restored to proper order.

At the termination of all classes, productions and rehearsals, the teacher or director in charge is responsible for restoration to proper order as outlined in the immediately preceding item.

In booking the facilities listed herein, proper allowances of time must be reserved for the regularly scheduled operation of custodial and maintenance services.

The duties of the Center Director shall be the following:

1. Responsible for the booking of all events taking place in the Auditorium, Center and Arena Theater. (All programs and rehearsals.)

2. Facilities will not be reserved for student functions until the function is approved in the Office of the Dean of Students.

3. Responsible for setting up, the functioning of, and dismantling of programs.

4. Coordinating the duties of the auditorium custodian with the Custodial Supervisor.

5. Maintaining a stage door bulletin board upon which shall be posted a weekly advanced calendar of auditorium events, including all scheduled programs, rehearsals and classes.

The building use policy for the Physical Education Building shall be as follows:

General Policy

Scheduling of classes, athletic contests, intramural activities and all special functions of the Physical Education Building shall be the responsibility of the Chairman of the Physical Education Department. All approved activities will be supervised by the authorized University personnel.

The Physical Education Building and facilities are available only to Midwestern University students, faculty, staff and immediate families or guests. (Discretion should be used in the number of guests. If this privilege is abused, the privilege may be abolished. Guests must be accompanied by their host, and conduct of the guests is the host's responsibility.) This use will be controlled by checking students' I.D. cards and through registration by faculty, staff and guests.

Explanation

The coliseum portion of the building contains 14 offices, 4 classrooms, 1 dance room, 1 weight-training room, 2 research laboratories and a playing surface which is designed to be used for badminton and volleyball as well as basketball classes. Because of the building design, any activity scheduled in the coliseum could disrupt 7 classes each hour.

Applying for Building Use

Written applications requesting the use of any part of the Physical Education Building must be submitted to the Chairman of the Physical Education Department 30 days prior to the intended use date. Requests must include:

1. Organization, person responsible, president and faculty-staff advisor, addresses and telephone numbers
2. Nature of the activity
3. Number of spectators anticipated
4. Seating requirements
5. Public address system requirements
6. Lighting requirements
7. Provisions for mass media (radio, television, newspaper)

The Chairman of the Physical Education Department will submit requests to the Administrative Council for their action and when approved schedule the activity on the University Master Calendar. He will then make the necessary arrangements with the Business Office, Building Maintenance and Concessionaire.

Department Policies Scheduling

The Department Chairman will maintain a master schedule complete with all regularly scheduled activities. The intramural department will assume the

responsibility for scheduling activities during all time periods not regularly scheduled by the Department Chairman. Individuals, groups or intramural managers should apply at the intramural office for recreation and team practice times.

Student and Faculty Use of the Natatorium

Swimming periods are available for student and faculty use on schedules to be published periodically in the University Bulletin.

Children under the age of 16 must be accompanied by a parent. A lifeguard will be on duty during student and faculty swimming periods. Before swimming all students must present their I.D. cards, while all other participants will register at the pool.

Dressing facilities for family members are available but permanent lockers are not available. Faculty members may obtain a permanent locker by contacting the Physical Education Department Chairman. A lock will need to be purchased from the Department Chairman for $2.25.

The weight-training room is available for student and faculty use during times when the room is not being used for classes. Please check the schedule of classes to avoid conflicts.

Sauna Bath

The sauna bath will be turned on by 9:00 each morning Monday through Friday and it is available to students and faculty on a first come - first served basis. Bathers are required to wear clothing since both sexes will be using the facility.

Gymnasium 101

The gymnasium will be available for free play from 12:00 to 1:00 Monday through Friday. Both gymnasiums are reserved for intramural and extramural play or practice from 6:00 P.M. to 10:00 P.M. during the week.

Coliseum 138

The coliseum will be available for free play from 12:00 to 1:00 Monday

through Friday. Food, drinks and cigarettes will not be allowed on the gymnasium and coliseum floors.

Holiday and Weekend Schedule

The building will be closed during holidays and weekends unless a Physical Education faculty member is willing to assume responsibility for building use and obtains approval from the Department Chairman.

SECTION 3. CREDIT UNION

The Midwestern University Credit Union is a State-chartered Credit Union, with assets of approximately $200,000, which serves exclusively the employees of Midwestern University. Requirements for membership are as follows:

1. Applicant must be on the payroll of the University and have a contract.

2. Applicant must purchase at least one share ($5.00) and pay entrance fee (25¢).

The primary benefits offered the members are (1) cash loans and (2) a safe and profitable depository for their savings.

Loan Policy:

1. Members may borrow up to one month's salary unsecured (signature only).

2. New members may initiate a secured loan immediately after employment; however, a minimum requirement of three months of continuous employment is mandatory before a signature loan may be initiated.

3. Interest rate is 1% of the unpaid balance per month, and all loans up to $10,000 carry mortgage cancellation insurance at no cost to the member.

Savings:

1. No limit on amount members may deposit.

2. A special insurance benefit goes into effect in the event of the death of a member. His beneficiary receives double the amount the member has on deposit up to $2,000, e.g., if a member has $2,000 on deposit and dies, his widow would receive a check for $4,000.

3. The Credit Union is a non-profit organization. All profits go to the members in the form of dividends.

4. Something to bear in mind - no member of any credit union has ever lost a dime in the State of Texas since the first credit union was founded in 1929.

SECTION 4. DEMONSTRATIONS AND UNLAWFUL ASSEMBLY OF EMPLOYEES

Any employee of Midwestern University, including any member of the faculty or administration, who, acting either singly or in concert with others, obstructs or disrupts, by force or violence or by stated threat of force or violence, any teaching, research, administrative, disciplinary, public service, or other activity authorized to be held or conducted on the campus of Midwestern University may be subject to dismissal as an employee. As used in this regulation, the words "force or violence" include such acts as "stand-ins," "sit-ins," and lie-ins," when such acts are in fact obstructive or disruptive of any of the authorized activities listed above.

Section 407 of the Department of Health, Education, and Welfare Appropriation Act of 1970 (P.L. 91-204) provides:

> "No part of the funds appropriated under this act shall be used to provide a loan, guarantee of a loan, a grant, the salary of or any remuneration whatever to any individual applying for admission, attending, employed by, teaching at, or doing research at an institution of higher education who has engaged in conduct on or after August 1, 1969, which involves the use of (or the assistance to others in the use of) force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent the availability of certain curriculum, or to prevent the faculty, administrative officials, or students in such institution from engaging in their duties or pursuing their studies at such institution."

SECTION 5. DRUGS

Midwestern University does not condone the possession, use or distribution of marihuana, LSD or other hallucinogens and narcotics by its students. When there is evidence that a student is possessing, using or distributing such drugs, the student will be subject to disciplinary action.

The degree of disciplinary action taken against any student will be determined by the circumstances surrounding each individual case and may or may not result in suspension from the University.

SECTION 5A. EQUAL EMPLOYMENT OPPORTUNITY & AFFIRMATIVE ACTION POLICY

I. Legal and Policy Basis for Affirmative Action Program.

A. Purpose

The policies and the programs which follow are designed to effectuate equal opportunity in employment and in all other personnel functions and are a part of the Policies and Fiscal Regulations of Midwestern University.

They shall also incorporate state and federal regulations and Executive orders pertaining to Equal Opportunity and Affirmative Action Commitments. The Affirmative Action Programs which follow in the faculty and non-faculty areas respectively, are designed to promote the full realization of Equal Employment Opportunity, resulting in positive continuing result-oriented programs throughout the entire University organization.

B. President's Statement of Policy

In addition to a moral commitment and obligation to eradicate discrimination based on race, color, age, religion, sex and national origin, Midwestern University seeks to comply with Executive Orders #11246 and #11375 which provide for the promotion and assurance of equal opportunity for all persons employed or seeking employment with government grantees, contractors or with contractors performing under federally-assisted construction contracts.

Midwestern University's policy of non-discrimination and equal employment opportunity has been affirmed and reaffirmed by the President and has been published in the Policies and Fiscal Regulations of the University. We recognize that the passage of laws asserting equality for all does not remove personal prejudices; however, as a major social agent, we seek to ensure equal employment opportunity. With an equally strong thrust of sincere and voluntary effort on the part of all faculty, administrative and management staff, the University can advance the total employment posture toward full and equal participating of all employees in opportunities available at Midwestern University.

The University shall strive for positive implementation of the "Affirmative Action Program" contained herein to achieve an improved and balanced occupational representation of minorities and women in all areas of the University.

The University shall strive to remain an educational leader by following a practice of unyielding obligation to recruit and employ the best academic and staff personnel available by basing the selections on realistic job related qualifications.

The program that follows presents a positive guide for all the academic staff, administrative officials, managers and supervisors to grant and provide additional opportunities to racial minority group members and women who seek to participate more fully in the life and growth of the University.

Periodic reviews will be made to identify areas of imbalance and to assure that the program is being fully and constructively implemented. Sincere and cooperative compliance is necessary--anything less will be considered socially unjust and unacceptable.

It is understood that Midwestern University will be in violation of both Federal and State laws if its responsible academic, administrative, and staff members fail to carry out the provisions of the Affirmative Action programs outlined in Parts II and III in any respect less than the full good faith, imagination and positive attitude which has so admirably characterized the growth and development of the University.

II. Equal Employment Opportunity Policy

The University intends to be a good employer. To demonstrate this intent, the University is guided by these fair employment principles:

The University, as an Equal Opportunity/Affirmative Action Employer, shall provide qualified applicants an opportunity to enter into and continue in University employment without regard to race, color, sex, religion, age, national origin or marital status.

The University shall always seek to employ the best qualified person available for a particular job.

The University shall endeavor to provide positions for employment and career opportunities as far as possible.

The University shall strive to compensate each employee in the most equitable manner.

General Equal Opportunity Policy

In all manner and respect, Midwestern University is an Equal Opportunity Employer and shall offer a program of Equal Educational Opportunity.

It is the policy of Midwestern University to take every available opportunity to assure that each applicant offered a position at the University shall have been selected on the basis of qualifications, merit and professional capabilities alone, without regard to race, creed, color, sex, age, national origin or marital status.

It is further the policy of the University to be in voluntary compliance with any and all statutes, regulations and executive orders which deal with equal opportunity and non-discrimination regardless of whether such statutes, regulations or executive orders be of federal or state origin.

The University subscribes to the fullest extent to the principle of the dignity of all men and of their labors. In order to insure complete equal opportunity, the University shall actively recruit applicants for positions from all segments of the population of our community and state.

III. Scope of Coverage

This program applies equally to all administrative officers, faculty, staff and student employees, and applicants for employment at Midwestern University, Wichita Falls, Texas.

IV. Responsibilities

A. Policy

The responsibilities for implementing a positive Equal Employment opportunity program within the entire University organization rest with the University President, Vice Presidents, deans, department heads, and the entire supervisory staff.

B. Chief Equal Employment Opportunity Officer

The President of the University or his designated representative will carry out the duties of the University's Equal Employment Opportunity Officer. He will be responsible for insuring the establishment, maintenance, coordination and implementation of a positive, continuing program to promote Equal Employment Opportunities throughout the entire University organization.

C. Vice President for Academic Affairs

Persons designated by the President shall assist him in discharging responsibilities in faculty employment matters.

D. Vice President for Business Affairs

The Vice President for Business Affairs is designated to assist in developing, implementing and maintaining the University's program of Equal Employment Opportunity in the non-faculty area.

The Vice President for Business Affairs will be responsible for implementing the following:

1. Provide direct assistance to all employing officers in promoting goals of progressive personnel management, establishing guidelines for affirmative action programs and continually appraising the effectiveness of the programs.

2. Maintain effective liaison with civil rights groups, interested community groups and organizations and to communicate to them the University's Equal Employment Opportunity Program and its progress.

3. Appraise the job structure, employment, promotional and training practices of the University as they relate to Equal Employment Opportunity.

4. Provide supervisory and managerial personnel with resource material and assist in the development of training programs to encourage personnel to continue their education.

5. Through the implementation of a training program assist employees in upgrading their skills and level of development.

6. Assist in the distribution and communication of the Equal Employment Opportunity policy and program to all concerned and be responsible for distribution of non-discriminating posters as required.

7. Perform other duties as required and assigned.

V. Definitions of Terms and Brief Text of the Laws

Equal Employment Opportunity: hiring or promoting of any person based on the individual's qualifications, without regard to race, color, creed, religion, sex, age or national origin.

Affirmative Action: doing whatever is necessary to provide additional job opportunities to persons who have not been given these opportunities before.

Equal Opportunity Employer: an employer who practices the meaning expressed above.

Compliance Reviews: reviews conducted with or without notice to the employer by various governmental agencies to determine the extent to which the employer is meeting his Affirmative Action obligations.

The staff of the Office of Federal Contract Compliance, U. S. Department of Labor and Health, Education and Welfare, are authorized to investigate complaints of sex discrimination by all federal contractors or sub-contractors.

VI. Text of Non-Discrimination Laws and Executive Orders Applicable to Midwestern University

Title VI of the Civil Rights Act of 1964: forbids discrimination in employment in any federally assisted program or activity which has a primary purpose of providing employment.

Title VII of the Civil Rights Act of 1964: requires employers, unions and employment agencies to refrain from discriminating against persons because of race, color, religion, sex, age or national origin.

Executive Order 11246 - Part II: Non-discrimination in employment by government contractors and sub-contractors. Part III: Non-discrimination in federally assisted construction contracts, etc.

Contractors agree not to discriminate against any employee or applicant because of race, creed, sex, age, color or national origin.

Contractors will take affirmative action to insure that applicants are employed and that employees are treated equally during employment without regard to their race, creed, sex, age, color or national origin in procedures related to employment, upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rate of pay, selection for training and other related functions.

Executive Order 11375: Covers Equal Opportunity for women in the federal government and employment by federal contractors. This order is an amendment to Executive Order 11246 outlined above.

Equal Pay Act Under The Fair Labor Standards Act: Provides it shall be unlawful employment practice for any employer to differentiate upon the basis of sex in determining the amount of wage compensation to be paid.

VII. Policies Regarding Faculty Members

Periodic review of the work force shall be made and a sincere program of compliance with the policies contained in this policy shall be adhered to.

A. Proposed Action

1. Directives will be issued on a continuing basis to all Deans and Department Heads emphasizing that employing officers at all levels are expected to make special efforts to increase the number of minorities and women in the University work force, in so far as is consistent with the availability of qualified applicants.

2. The employing officers will be expected to take continuing steps to remove any existing inequities for women and minorities.

3. Consultative assistance will be provided to the employing officers in recruitment methods and procedures with which to acquire minority and women applicants.

B. Affirmative Action Program: Faculty

1. Authority and Responsibility

Through the Midwestern University Board of Regents, the President of the University has the overall authority and responsibility for insuring that the Affirmative Action Program is implemented in both the faculty and staff (non-teaching) areas.

The University's Vice Presidents, Deans, and Department Heads will share in the authority and responsibility for promoting and insuring Equal Opportunities among academic personnel and maintaining appropriate records as outlined herein. It shall be the duty of each to insure compliance within the spirit and letter of the University's Affirmative Action Plan.

2. Personnel Recruitment and Selection

a. Recruitment literature, newspaper advertising and position announcements will carry clear statements of the Equal Employment Opportunity Policy and will be distributed to recognized sources of minority group and women applicants.

b. Faculty position openings will be disseminated as widely as possible by Deans and Department Heads. The requirements for each position will be fully and accurately described.

c. Deans, Department Heads and/or others responsible for recruitment of faculty will make visits to colleges and universities with predominately minority and women students for the purpose of recruiting candidates from doctoral and other programs.

d. Deans, Department Heads and/or others responsible for the recruitment of faculty will seek assistance from current minority and women staff members in the pursuit of minority and female applicants.

e. The University will insure that all resumes and/or employment applications are properly accepted, recorded, evaluated and responded to by those charged with the responsibility of recruiting faculty.

3. Placement Assignments

a. Selection standards for the recruitment and selection of faculty shall include, but will not be limited to:

Educational attainment
Scholarly achievements
Experience
Leadership ability
Appropriate technological ability
Emotional stability and other related criteria

b. All selection and promotion decisions will be based solely upon an individual's qualifications for the position, with minority members and women given preference where qualifications are judged equal to all others.

4. Documentation of all Personnel Actions

a. The qualifications of each applicant will be judged in comparison to the standards established for the position. The extent to which each applicant meets or does not meet the qualifications for the position will be documented and the records retained by the University. Consideration will be given to past experience and recommendations of colleagues and other persons sufficiently knowledgeable to evaluate potential.

b. When qualified minority or women applicants or prospective promotees are passed over, the person responsible for the final selection decision will be required to submit written justification for his decision to his Dean.

c. Records of personnel decisions and actions will be kept by the University for a minimum of two years.

5. Assignment, Promotion and Transfer Criteria

To the extent possible, positions will be filled by qualified persons from within the academic or extension division, faculty and extension staff promotion criteria shall include, but not be limited to, teaching effectiveness and excellence, research and scholarship, professorial stature and other criteria as determined by the President.

6. Performance Rating

Annually in anticipation of recommendation for faculty promotions and contracts, Department Heads review the teaching effectiveness and other professional characteristics of the teaching faculty. The report of these evaluations is submitted to the Dean in the Annual Merit Rating.

7. Compensation

University policies governing initial salary determinations, application of merit criteria in evaluating individual performance and the allocation of salary increases are issued annually by the President of the University within guidelines established by the Midwestern University Board of Regents. The University will continue to apply its basic policy which rewards faculty on a basis of educational attainment, demonstrated teaching and research effectiveness, and other criteria.

C. Continuing Goals

The University will

--Strive to achieve salary equity in every job category regardless of race, sex, age, religion or national origin.

--Strive to achieve a ratio of female and minority employment in all positions in so far as consistent with the availability of qualified applicants.

--Strive to increase ratios of female and minority admissions to graduate programs.

VIII. Policies Regarding the Non-Faculty Work Force

Periodic review of the work force shall be made and a sincere program of compliance with the policies contained in this policy shall be adhered to.

A. Junior and Senior Administrative Group

Proposed Action

1. Announce Midwestern University's job opportunities to placement officers of institutions attended mainly by minorities and women; public and private employment agencies; professional journals and similar media when possible.

2. In addition to carrying out our internal promotional and regular recruitment procedures, Business Office personnel and the employing departments will, to the extent of their budget means, conduct recruitment visits to campuses of colleges and universities and technical schools that are predominately attended by minorities and women.

3. Identify and assign minority group members and women employees to assist in the recruitment of prospective candidates.

B. Craft-Maintenance Group

Proposed Action

1. Through more recruitment efforts, encourage minorities and women in the surrounding area who are currently being occupationally underutilized to apply for entry level trade positions.

2. Require the placement of a suitable number of qualified minorities and women into the craft and related positions as they become vacant.

C. Clerical Groups

Proposed Action

1. Review present ability levels of all minority clerical staff members and determine promotable candidates for upper level positions.

2. Promote the referral of acceptable candidates to any upper level opening available.

3. Through a continued education approach, guide minority group members in obtaining remedial and additional training to render them promotable to higher level positions.

D. Service Group

Proposed Action

Through employee profile and job evaluation, conduct individual capabilities analysis of minority group members and women employed in the service and operative classes to determine persons who are trainable or promotable to the entry-level craft, technical, supervisory or higher level occupational group.

E. Continuing Goals

The University will

--Strive to achieve salary equity in every job category regardless of race, sex, age, religion or national origin.

--Strive to achieve a ratio of female and minority employment in all positions as to the availability of qualified applicants.

F. Affirmative Action Program - Non-Faculty and Student Employees

The University's current on-campus recruitment, selection and hiring policy and practices, in order to accomplish a fair and effective personnel selection, will be as follows:

1. Personnel Recruitment

a. Recruitment literature and announcements covering job openings and rates of pay will be forwarded to state and private employment agencies; secondary and technical schools, higher educational institutions, including predominantly minority institutions.

b. Acquire from recruitment sources, such as private and public employment agencies, letters of confirmation that they will refer applicants to the University without regard to race, sex, age, religion or national origin.

c. Job announcements proclaiming the University as an "Equal Opportunity Affirmative Action Employer" will continue to be placed in all publications, newspapers and other media without regard to sex specification in listings.

d. Job bulletins will be posted for the benefit of University employees seeking promotional opportunities.

e. Prospects recruited by any employing supervisor will be referred to the Business Office personnel where appropriate University pre-employment evaluation will be applied before a selection decision is made by employing officer.

f. While attending professional meetings and conventions, professional staff members and others with the responsibility of making hiring decisions will make efforts to identify prospective minority and women staff members.

2. Interviewing Procedures

a. Preliminary interviews will be conducted by the department head to assist in determining the qualifications of each applicant.

b. A high school education will not be a prerequisite for any non-professional job at Midwestern University.

c. Screening of applicants will be based on the qualifications required to meet a specific job.

d. Final interviews by employing supervisors will be conducted to determine mainly a personal evaluation of an applicant.

3. Pre-Employment Testing

At the present time the University uses only the skills tests as listed:

a. Clerical
Typing
Shorthand
Spelling
Other applicable office machines

b. Craft Maintenance
Job related

4. Reference Evaluation

Oral, written and telephone reference checks concerning an applicant will be made with his/her former employer(s), schools, creditors and others as required.

5. Placement Assignment

a. Salaried and non-salaried personnel appointments with the exception of those employed primarily to teach at the faculty level and major administrative positions will be cleared first through the Business Office and/or the President.

b. Employing officers and supervisors will be required to review the applications of any prospect who has applied at the Business Office before making a final decision.

c. Placement assignments will be made on the basis of individual ability, background experience and the extent to which the person meets the specific requirements of the job.

d. Applicants who meet or exceed minimum job requirements will be referred to employing supervisors who are responsible for the final selection decision.

Selection and promotion decisions will be based solely upon an individual's qualifications for the position, with minorities and women given preference where their qualifications are judged equal to all others.

Overall, the Business Office will employ the total personnel assessment approach in the evaluation of its applicants, which means that no single evaluative factor can be decisive in determining the suitability of candidates for referral to the employing University supervisors.

6. Documentation of All Personnel Actions

a. Each applicant's qualifications or the qualifications of an employee under consideration for promotion will be documented in comparison to the qualifying standards appropriate to the position and to other candidates.

b. When apparently a qualified minority group member or woman applicant is passed over for an initial appointment or promotion, the person responsible for the appointing or hiring decision will be required to submit

a written justification for his decision to the head of the University department involved and the Business Office.

c. Records of personnel decisions and actions will be kept for a minimum of two years by the Business Office.

7. Compensation

It is the policy of Midwestern University to maintain equitable rate scales through job evaluation of non-academic positions and to recognize job performance through the most effective performance appraisal procedures available without regard to race, color, sex, age, religion or national origin.

Conducting periodic employee performance evaluation is the responsibility of the employing department head. The University, through the Business Office, will have under constant review all the wages and salaries paid women to insure parity with men if their jobs are equal in terms of effort, skill and responsibility.

Except in cases where job classification upgrading occur, reasons for any deviation from the application of annual increases within the grade will be documented and explained to the employee.

Salary and wage adjustment are considered annually and are based on a number of factors which change from year to year. The principle factors are:

a. The extent to which entry-rate revision adjustments are made.

b. Degree of performance.

c. The availability of funds.

8. Job Evaluations

The Business Office will, to the extent possible, redesign positions to more nearly fit the under-utilized employee.

Identify persons whose positions require both high and low skills and redesign those positions to better utilize the high level skills of those employees.

9. Employee Performance Rating Program

The University, through its department heads and the Business Office, will establish an Employee Performance Rating Program accenting job performance plus merit and worth to the University. It will be a person-job rating plan designed to match each employee against his or her particular job. The program will use job analysis data written up in a job specification as the scale of reference. At least once annually a superior will review with each subordinate supervisor his or her job specification and select "key result areas" on which the employee's performance will be appraised.

Person-job rating results will be recorded on each employee and will be used by the supervisor to assist him in job performance counseling; supporting transfer, promotion and discharge transactions; employee training and development; and in areas that will maximize employee potential.

IX. Equality of Work and Pay

The rates of pay and indirect compensation for employees performing equal work will not be different because of any difference in race, color, sex, age, religion or national origin.

To help promote salary equity in all staff (non-teaching) ranks and job classes, the Business Office will:

A. Continue to develop job specifications that are strictly job related and clearly define all the major characteristic duties and responsibilities and the overall qualification standards.

B. Develop and evaluate all position description and job specification forms before a new position opening is posted.

C. Acquire position descriptions and job specifications on all positions not previously obtained by the Business Office.

The Business Office will continue to receive consultation from the wage and hour office of the U. S. Department of Labor to insure that requirements of the Equal Pay Act of the Fair Labor Standard Act are met.

X. Audits

Each Dean and Department Head must insure Equal Opportunity for all employees in regard to work assignments, training, transfers, advancements and other conditions and privileges of employment subject to central University Personnel policies and practices and the objectives of the University-wide Affirmative Action Program.

Responsibilities will include but not be limited to the following:

A. Assisting in the identification of problem areas to determine if objectives are being met on schedule and establishment of programs geared to the resolution of problems.

B. Periodic auditing of all personnel and Affirmative Action practices by managers and supervisors of the unit and those of the Business Office to insure the objectives are being met.

C. Conducting periodic discussions with subordinate managers and supervisors to be certain policies and programs are being followed.

D. Insuring that all Equal Opportunity Employment posters are properly posted.

E. Insuring that equal treatment in all activities and benefits is accorded all minority and female employees.

XI. Other Affirmative Action Imperatives - Faculty/Non-Faculty

A. The University will repudiate the following reasons and similar ones when used as a basis for the rejection of majority, minority or female applicants and the rejection of promotion prospects:

1. The use of general assumptions of comparative employment characteristics; eg. Women have higher turnover rates than men; men do not do well in clerical jobs; men have less parental responsibilities; women cannot supervise men or women.

2. The use of stereotyped characterizations of minority and sexes; eg. Women do better in clerical or intricate type work activities; women have much higher rates of work absences.

B. The University will accept women for jobs that involve lifting, night work, a hazardous activity or similar type work activity unless sex is a bona fide occupational qualification.

C. The University will provide equal treatment of sexes and minorities in the provision and administration of insurance coverage, contribution amounts, educational and all other benefits, regardless of marital status or sex of the individual.

XII. Training and Leave Policy

All training and leave opportunities associated with the training and development of academic, extension and staff personnel will be provided within the three staff groups and made available on an Equal Opportunity basis.

All other leave policies such as annual, sick, military, maternity, leave without pay and other leaves and policies will be equitably administered according to established policies of Midwestern University.

XIII. Dissemination of the University's Equal Employment Opportunity Policy and Its Affirmative Action Programs

A. Internal Dissemination of Policy and Program

1. Provide a copy of Midwestern University Equal Employment Opportunity program and Affirmative Action Plan to each Dean and Department Head. Employees if they wish, may review the Plan provided to their Dean or Department Head.

2. Provide all supervisory staff and those responsible for making hiring decisions with orientation relative to the requirements of Executive Order 11246 as amended by Executive Order 11375.

3. Information about Midwestern University's Affirmative Action Program will be published in its:

a. University Bulletin

b. Policies and Fiscal Regulations

c. Other pertinent University publications

B. External Dissemination of Policy and Program

1. The University will inform employee organizations of their responsibilities by officially adopting and practicing non-discrimination policies as prescribed by law. The University will review its contractual and governing provisions to insure that they are non-discriminatory and that a non-discriminatory clause is included in all agreements.

2. The University will inform building contractors, sub-contractors and unions providing manpower for contracted University construction work of their obligations to adhere to the principles and practices of non-discrimination and Equal Opportunity as prescribed by law.

3. The University will incorporate the Equal Opportunity/Affirmative Action clause in all contracts and agreements, etc., covered by Executive Order 11246, amended.

XIV. Complaint Procedures, Compliance Reports, and Amending Procedures - Faculty and Non-Faculty

A. Complaint Procedure: Faculty and Non-Faculty

If an employee feels he or she has been discriminated against because of his/her race, color, sex, age or national origin, or with respect to his compensation terms, training, conditions, or privileges of employment because of race, color, sex, age or national origin may use the University grievance procedures as specified in Policies and Fiscal Regulations.

B. Reports

The Business Office and others designated by the President shall have under constant review all existing Equal Employment Opportunity

policies, programs and procedures. As required, progress reports covering the problems, needs and accomplishments shall be forwarded to the President of the University.

C. Compliance With Federal And State Laws Prohibiting Discrimination

Although the University strives to eliminate employment discrimination practices by moral commitment, it shall comply with State and Federal laws as required and will display state and federal posters, proclaiming non-discrimination laws, on all bulletin boards in areas of employment.

D. Amending Procedures

Any amendments and changes to this program may be proposed to the President by employing officers, minority and women staff members and groups and others designated by the President. Amendments and changes may also be recommended in accordance with Executive Order 11246, amended, by the Chief, Contract Compliance Branch, Office of Civil Rights, U. S. Department of Health, Education and Welfare.

E. Non-Compliance

It is understood that each University division will be in violation of both Federal and State Laws if its responsible academic, administrative and staff members fail to carry out the provisions of the Program.

F. Penalties and Discipline

Any University employee found to be engaging in discriminatory practices against other employees or applicants will be subject to disciplinary action as outlined in the Policies and Fiscal Regulations.

SECTION 6. EMERITUS APPOINTMENTS

The University may recognize emeritus status of retired faculty and senior administrative officers. The title "Emeritus" is conferred upon recommendation of the President of the University and approval of the Board of Regents. Such appointments are strictly honorary, without stipend.

Standards for recommending emeritus status:

1. Service of fifteen years or more at Midwestern University.
2. Permanently retired from the institution.
3. A member of the faculty with rank of Associate Professor or Professor, or an administrative officer.

The emeritus status shall include the following privileges:

1. Name will appear at the end of the faculty roster under "Emeriti Faculty" in the general catalog.
2. Marching in commencement or other academic processions.
3. Membership in all social affairs of the faculty or staff.
4. Will receive a permanent faculty identification card.

SECTION 7. EMPLOYEES AS STUDENTS

The President may grant permission to employees on staff status to enroll for credit, upon payment of regular fees, up to a maximum of seven semester hours during each semester.

Faculty, staff members and their immediate families may be permitted to audit courses without charge, provided:

1. That the auditor has finished high school or has reached the age of 18 years.
2. That all credit-seeking students have priority on class and laboratory facilities.
3. That the auditor gets approval from the faculty member concerned and the approval of the Dean of the School.
4. That the auditor furnishes his own equipment and pays the regular laboratory fees where required.

No staff member may audit or enroll for any class scheduled during regular hours of employment.

SECTION 8. EMPLOYMENT PROCEDURES

I. Employment Contracts

All employees must be placed under contract and are not eligible to receive salary until contracts are completed in good order and filed in the Office of the President.

A. There are seven types of contracts:

1. Contract for Staff
2. Contract for Tenured Faculty
3. Contract for Non-Tenured Faculty
4. Contract for Summer Session (Faculty)
5. Contract for Part-Time Faculty, including Teaching Assistants
6. Part-Time Non-Academic Memorandum Contract
7. Student Memorandum Contract

B. Legislative enactment requires that the University make available the provisions of House Bill 753, 52nd Legislature, entitled "Accounting and Responsibility for Use of State Property." This bill is covered in its entirety under Part V, Policies and Procedures for Business Affairs.

C. Legislative enactment requires that the University furnish each employee with a copy of Section 4, House Bill 2, 2nd Called Session, 61st Legislature, entitled "Political Aid and Legislative Influence Prohibited." Each employee will be given a copy of this bill as a part of the payroll forms and a receipt obtained from the employee. The receipts will be filed in the Business Office.

II. Procedures in Employment

A. Procedure for selection of senior administrators, namely, Vice President for Academic Affairs, Vice President for University Affairs, Vice President for Business Affairs and Vice President for Student Affairs, shall be the following:

1. The President shall, after study of qualifications of candidates and conference with such interested groups as he deems necessary, make recommendation to the Personnel and Curriculum Committee of the Board of Regents.

2. The Personnel Committee of the Board shall study the recommendation of the President and either confirm his recommendation or request further study.

3. Upon confirmation by the Personnel Committee of the Board, the President shall issue the necessary contract and other papers to complete the transaction.

B. Procedure for the selection of all other administrative personnel for whom a contract is required shall be the following:

1. When additional personnel is required, either new or replacement, the person making the request shall confer with his senior administrator, substantiating the need.

2. The next step shall be for the requesting party to make written recommendations to his administrative superior, supporting either a present staff member or an outsider.

3. The administrative superior, accompanied by the party requesting the employee, shall present the matter to the area administrator, who will confer with any colleagues in or out of the area who might be affected by the appointment.

4. The area administrator shall recommend employment to the President. The President, on the basis of evidence available, shall make the final decision and issue the necessary contract and other papers to complete the transaction.

C. For procedure for selection and employment of general office personnel below junior administrative level, see Section G following.

D. Procedure for the selection of full-time academic personnel shall be the following:

1. The department chairman in conjunction with the dean of his school shall substantiate the need and receive authority from the Vice President for Academic Affairs to proceed in preparation of recommendations.

2. The department chairman will review all applications for a vacancy and will, after consultation with his dean and department faculty, invite one or two of the most highly qualified candidates to the campus for interview. Normally these candidates will be interviewed by appropriate faculty members, the department chairman, the dean and the Vice President for Academic Affairs.

3. Written recommendation shall be made to the Vice President for Academic Affairs outlining the bases for recommendation and containing sufficient factual material to justify the appointment. The recommendation will be initiated by the department chairman who will forward it to the dean of his school for approval.

4. The Vice President for Academic Affairs shall recommend employment to the President.

5. The President, upon approval, shall issue the necessary contract of employment.

E. Procedure for the selection of part-time academic personnel shall be the same as for full-time academic personnel.

F. Procedure for the selection of teaching assistants shall be the following:

1. The department chairman and/or dean of the school involved shall substantiate the need and receive authority from the Vice President for Academic Affairs to proceed in preparation of recommendations.

2. Written recommendation shall be made to the Vice President for Academic Affairs outlining the bases for recommendation and containing sufficient factual material to justify the appointment. This recommendation must have the approval of the Dean of Graduate School concerned. No person shall be recommended who is not enrolled as a full-time graduate student at Midwestern University. The candidate must have demonstrated both outstanding academic achievement and ability to perform his duties satisfactorily.

3. The Vice President for Academic Affairs shall recommend employment to the President.

4. The President, upon approval, shall issue the necessary contract of employment.

G. Procedure for selection of employees working on an hourly basis shall be the following:

1. When a position is to be filled, the person making such request shall substantiate the need and receive authority from his immediate superior to seek worthy candidates for the position.

2. When a prospect is available, the administrator and the person requesting the employee shall present the matter to the senior administrator involved.

3. The senior administrator shall, in cooperation with the Vice President for Business Affairs, complete the necessary arrangements for employment and issue the necessary contract.

H. All actions of the President are subject to the final approval of the Board of Regents.

I. All personnel, unless otherwise specifically permitted, shall report for duty on the date given on the contract. The administration does not approve late arrival at the beginning of the semester or early departure prior to the official closing of either the contract or the school term. Unavoidable situations should be directed to the senior administrator of the area.

J. No person on academic or disciplinary probation or suspension from the University shall be eligible for employment of any type.

K. When feasible, vacant positions should be filled by University students who are enrolled and regularly attending classes, or by the spouse of such a student. Such employees should be advised that they are being employed under Sec. 106, Public Law 91-373, and that such employment will not be covered by any program of unemployment insurance. Acknowledgment of such advisement should be so indicated on the employment contract.

III. Termination of Employment

When the services of any employee of the University are discontinued a "Termination of Employment" form must be submitted by the Department Chairman to the President through the Dean of the School or other supervising official in the manner outlined. These forms are available in the Business Office.

Channels for termination shall be as follows:

A. Dismissals

1. For senior administrators, the Board of Regents, on recommendation of the President and/or Personnel Committee of the Board of Regents.

2. For all other non-academic personnel, the President, on authority granted by the Board of Regents. Recommendations of the administrator responsible shall be given full consideration.

3. For academic administrators (Deans of Schools, Department Chairmen, Director of Libraries, etc.) the President.

Recommendations of the Vice President for Academic Affairs and/or the Dean of the School involved, in the case of academic administrators within the School, will be given full consideration. This procedure applies only to their administrative function.

4. For faculty, see Part III, Academic Policies and Regulations.

B. Voluntary Terminations

Employees seeking voluntary termination will submit their resignation in writing prior to the period designated in the contract and leave work in good condition. Emergency situations will be given special consideration by the administration.

C. Final Clearance

Prior to departure a final clearance form is to be supplied to the employee by his department head. The employee is to complete his clearance with all departments listed on the form and submit it to the Business Office before issuance of the final pay check.

SECTION 9. FACULTY-STAFF RELATIONS WITH STUDENTS

We are all aware that misunderstanding and embarrassment can result from personal and social relationships between faculty-staff and students. Caution and discretion in such relationships are as applicable in personal friendships as in dating. The matter is not one which lends itself to rigid rule or policy; rather, the discretion and judgment of the individual faculty or staff member must determine appropriate behavior. Therefore, such faculty-staff person, and not the student, shall be held responsible for indiscretions in these relationships.

SECTION 10. I.D. CARDS

All employees under regular contract to the University are required to have an I.D. Card for purposes of identification.

SECTION 11. KEYS

Authorization

All outside door keys, all room door keys and all master keys issued to maids, custodians, dormitory directors and dormitory proctors require the approval of the Department Chairman*, Dean of the School and the Vice President for Business Affairs.

All room keys and outside door keys issued to faculty and other staff members must be approved by (a) the Department Chairman, (b) Dean of the School, and (c) the Vice President for Business Affairs.

A building master key will be issued to any full-time faculty member on condition: (1) that he submit a building master key request in writing stating reasons of need; (2) that the request be reviewed and approved by the administrative heads of each department or area made available by the master key; (3) that the request be approved by the Dean of the School; and (4) that the request be approved by the Administrative Council.

All grandmaster and great-grandmaster keys require the approval of the President of the University.

Procedure for Requesting All Keys

All key requests will be initiated by the Department Chairman. Three-part key authorization forms are available in the Physical Plant office. Fill in the name of the person to receive the key, the building name, room number or other identification, and date. Do not use the key number space at the upper left corner. The person to receive the key is not to sign this form until he has received the key and he must not release his keys to anyone except those authorized under this policy. When releasing the key he should require a receipt because of the security and financial responsibility attached to the issuance of his key. The Chairman must sign the request and forward all copies to the Dean of the School for his endorsement; it then goes to the Vice President for Business Affairs, who will either approve the request or present it to the Administrative Council, as required. The Vice President for Business Affairs will send the request to the Director of Physical Plant, who will record the issuance and secure the signature of the receiver at the time the key is issued. The yellow copy (original) will be returned to the Business Office where a complete alphabetical file will be kept. The green duplicate will be returned to the Department Chairman for his records. The Department Chairman must maintain a complete record of all keys issued and all keys turned in within his department. The Physical Plant Director will supply a complete inventory of all key transactions upon request from the Department Chairman. The white copy will be retained in the office of the Director of Physical Plant.

Key Security

The Director of Physical Plant will check each key from the record to the holder and visually observe the existence of the key and certify as to its existence at least once each year. He will cause a report to be issued of all discrepancies to the Vice President of the area involved.

Grandmaster and great-grandmaster keys should not be routinely carried on the person and must be given maximum security. Full accountability will be required in the event of loss of key or loss of security due to irresponsible handling of the key or loaning the key to others. Each key is reserved strictly for its authorized holder only and is not to be loaned to others for any reason.

Access to buildings is reserved to faculty and staff only. Students are not permitted in buildings unless accompanied by a faculty or staff member at times when the buildings are normally closed. Exceptions are made by the Administrative Council when necessary.

The Director of Physical Plant shall be notified immediately in the event a key is lost or in the event there is a loss of security, and all cylinders that are operated by the lost or mishandled key shall be replaced in the event there is loss of security. All keys to replaced cylinders are to be taken up and new keys issued. The expense of such cylinder replacement shall be charged to the person to whom the lost key was issued.

The Director of Physical Plant will number all keys in such a manner that positive identification can be made of each individual key.

Any issuance not covered by this policy must be cleared by the Administrative Council.

Penalties for Lost Keys

ROOM KEYS: To be charged $2.00 per cylinder for the first 10 cylinders and $1.50 per cylinder in excess of 10 cylinders.

OUTSIDE DOOR KEYS: To be charged $1.50 per cylinder.

MASTER KEYS: To be charged $1.50 per cylinder for the first 10 cylinders and $1.00 per cylinder in excess of 10 cylinders.

Key Turn-In

Upon termination of employment, keys must be turned in to the Vice President for Business Affairs or the Director of Physical Plant. (Exception: all personnel operating under the Vice President for Student Affairs will turn keys in to him.)

*Applicable to non-academic and academic departments.

SECTION 12. LEAVES OF ABSENCE

Without Compensation

Extended leaves of absence from the University may be granted an employee after two full years of employment when a request has been transmitted to the President through the appropriate administrative officers.

Leaves of absence without pay may be granted for good cause for a period falling within the term of appointment. The absence should be timed so as to interfere as little as possible with the work of the University. Sick leave, vacation credit and other special privileges are not accumulated during the period of absence.

With Compensation

A. Development Leaves for Administrators and Staff (Ref: Senate Bill 653, 61st Legislature)

The University will grant development leaves, with or without compensation, for the purpose of advanced training or study which will improve the individual's service to the University.

Such leaves shall be restricted to:

1. College Degree Programs: Provides college level (graduate or undergraduate) training leading to a degree....

2. In-Service Training and Education: Job-oriented training which is provided essentially within the agency. It may include on-the-job training, training in preparation for job assignment and continuing training programs which are basically job-oriented.

3. Out-of-Agency Staff Development: May consist of workshops, seminars, institutes, training sessions, college courses (with or without academic credit) and other special programs or activities offered either within or outside the State. Continuing education or training must be of a concentrated, precise content and designed to improve the individual's professional or technical knowledge in the performance of his present or prospective duties and responsibilities.

4. Internship Training: That type of learning experience which can be obtained only through actual work experience. Internship programs are generally considered to be of a longer duration than other types of training herein mentioned under the headings of In-Service Training and Out-of-Agency Staff Development (of that type which is primarily seminars and short courses).

GENERAL REQUIREMENTS

1. Leaves must be in a field specifically required by the University,

thereby enabling the University to operate at a higher rate of efficiency.

2. Employee must have the necessary aptitude, skill or academic training required for admission to the area of training. Employee must pass any tests of evaluation, aptitude, etc. as required by the University.

3. Employee must be scheduled for appointment to a job requiring the specific training.

4. Employees who receive financial assistance from the University for the completions of such training shall be obligated to fulfill such terms and conditions as the University may prescribe.

    a. Employees granted leaves for degree granting programs shall return to the University for a minimum period of one year.

    b. Employees granted leaves for other than degree granting programs shall return to the University for a period proportionate to the period of training, or subject to other designated periods as covered in the agreement.

    c. Employees granted such leaves shall agree to repay in a lump sum, or such alternate arrangements as the University may prescribe, the amount of money expended by the University for such training, should the employee fail to complete the training or any part of the agreement between the University and himself, except in the event of circumstances beyond his control.

5. Employees shall not be eligible for development leaves with compensation in excess of 30 days until they have completed two years of employment with the University.

6. Development leaves are limited to persons employed on a full-time basis.

7. Not more than 6% of the administration and staff shall be on development leave at any one time.

8. Requests for such leaves should be timed to interfere as little as possible with the work of the University.

PAYMENT: Employees taking development leave may be reimbursed for partial salary, total salary, travel expense, registration or tuition fees, living expense, supplies and other related training expenses; the amount of payment will be determined and made a part of the agreement.

APPLICATION: Application for such development leave should be submitted showing the type of training leave requested, object of the training, relationship of the training to the current or prospective job and an estimated dollar amount of any reimbursement to be requested. Such requests will be recommended by the appropriate department head and approved in writing by the President.

B. Faculty Development Leaves

Provisions of State law:

1. Service Required, Section 4. A faculty member is eligible by reason of service to be considered for a faculty development leave when he has served as a member of the faculty of the same institution of higher education for at least two consecutive academic years. This service may be as an instructor or as an assistant, associate or full professor or in an equivalent rank and must be full-time academic duty but need not include teaching.

2. Duration and Compensation, Section 5. The governing board may grant to a faculty member a faculty development leave authorized by this Act either for one academic year at one-half of his regular salary or for one-half academic year at his full salary. Payment of salary to the faculty member on faculty development leave may be made only from funds appropriated by the Legislature specifically for that purpose. A faculty member on faculty development leave may accept a grant for study, research or travel from any institution of higher education or from a charitable, religious or educational corporation or foundation, or from any federal, state, or local governmental agency. A faculty member on faculty development leave may not accept employment from any other person, corporation or government, unless the governing board determines that it would be in the public interest to do so and expressly approves the employment.

Midwestern University's Policy and Procedures on Granting Leaves:

1. Applications for faculty development leaves will be made by the faculty member to the Faculty Senate and must be accompanied with comments and recommendations by qualified persons.

2. Recommendations for faculty development leaves will be made by the Faculty Senate on the basis of nominations and recommendations

of a sub-committee which will screen all applications and report to the Faculty Senate. This committee shall consist of 5 members of the faculty appointed by the chairman annually, including one member from each School of Sciences and Mathematics, Education, Business Administration, Humanities and Social Sciences.

3. A faculty member with less than five years employment at Midwestern University shall sign a conditional note for the leave salary to be repaid to Midwestern University only if he accepts another position the year after his leave.

4. The following criteria (in order of priority) will be used by the sub-committee recommending appointments:

    a. Quality of proposal
    b. Rotation of disciplines and divisions
    c. Requirements for advanced degree and/or time since last graduate study
    d. Length of service
    e. Potential future value to the University. Individual potential, time remaining before retirement and programs of the University.
    f. Evidence of applicant's ability to benefit from the leave (previous contributions, publication, etc.)
    g. Needs of the department including new fields, modifications and rapidity of development of the fields.

Vacation Leave

Annual employees of the State shall, without deduction in salary, be entitled to a vacation in each fiscal year. Such entitlement shall be earned in accordance with the following schedule:

Employees with Total State Employment of:	Hours Accrued Per Month
Less than 15 years	7
15 years but less than 20 years	10
20 years and over	14

An annual employee employed less than full-time shall accrue vacation leave as follows:

	Percent Accrued Based on the Above Schedule
Employed less than full-time but at least 3/4 time	75%
Employed less than 3/4 time but at least $\frac{1}{2}$ time	50%
Below $\frac{1}{2}$ time	0%

An employee will earn vacation entitlement beginning on the first day of employment with the State and terminating on the last day of duty. Vacation entitlement is accrued at the applicable rate cited above. Credit for one month's accrual will be given for each month or fraction of a month of employment with the State. Vacation with pay may not be granted until the employee has had continuous employment with the State for six (6) months, although credit will be accrued during that period.

Total accumulated leave entitlement which may be carried forward for any employee, from one fiscal year to the next fiscal year, may never exceed the equivalent of his earned vacation entitlement for the preceeding two-year period.

In computing vacation time taken, time during which any employee is excused from work because of holidays shall not be charged against the employee's vacation.

If an employee transfers directly from one State agency to another he shall be entitled to credit with the newly employed agency for his accumulated but unused vacation entitlement, provided that his employment is uninterrupted.

A State employee who resigns, is dismissed, or separated from State employment, shall be entitled to all vacation time duly accrued.

Department heads will maintain a complete record of vacation granted to each employee under his supervision. This record will be made available for inspection on request by the administration.

Vacation requests shall be submitted to the department head on the "Application for Leave of Absence" form, showing (1) number of days accumulated, (2) number of days requested, and (3) number of accumulated days remaining. The period of leave is subject to approval of the department head and the appropriate Vice President.

Death benefits: Salaries and wages may be paid for all of the employee's accumulated vacation leave to the estate of an employee when said employee dies while employed by the State. The payment shall be calculated at the rate of compensation being paid the employee at the time of his death.

Sick Leave

Annual employees of the State shall, without deduction in salary, be entitled to sick leave subject to the following conditions:

Sick leave entitlement shall be earned at the rate of eight (8) hours for each month or fraction of a month employment, and shall accumulate with the unused amount of such leave carried forward each month.

Sick leave entitlement for regular employees employed less than full-time shall accrue as follows:

	Accrue
Employed less than full-time but at least 3/4 time	6 hours per month
Employed less than 3/4 time but at least $\frac{1}{2}$ time	4 hours per month
Employed less than $\frac{1}{2}$ time	0

Sick leave with pay may be taken when sickness, injury, or pregnancy and confinement prevent the employee's performance of duty or when a member of his immediate family is actually ill. An employee who must be absent from duty because of illness shall notify his supervisor or cause him to be notified of that fact at the earliest practicable time.

To be eligible for accumulated sick leave with pay during a continuous period of more than three (3) working days, an employee absent due to illness shall send to the administrative head of his employing agency a doctor's certificate showing the cause or nature of the illness, or some other written statement of the facts concerning the illness which is acceptable to such administrative head.

Upon return to duty after sick leave the employee concerned shall, without delay, complete the prescribed application for sick leave and submit the same through proper channels to the appropriate approving authority for his consideration.

Exceptions to the amount of sick leave an employee may take may be authorized by the administrative head or heads of any agency of the State provided such exceptions are authorized on an individual basis after a review of the merits of such particular case. A statement of any such authorized exceptions or the reasons for them shall be attached to the State agency's duplicate payroll voucher for the payroll period affected by such authorized exceptions.

A State employee who transfers directly from one State agency to another, shall be given credit by the receiving agency for the unused balance of this accumulated sick leave, provided that his employment with the State is uninterrupted.

The estate of an employee who dies while employed by the State shall receive payment for one-half of the accrued sick leave, and the rate of compensation paid shall be the amount that was in effect for the employee at the time of death.

Emergency Leave

Emergency leave shall be granted because of a death in the employee's family. The death of the employee's spouse, parents, grandparents, or children shall constitute adequate need for emergency leave. The senior administrator may make a determination of other reasons for emergency leave. Emergency leave is charged against accrued sick leave time and shall be reported in the same manner as other leaves.

Military Leave

Members of the National Guard or of the Reserve Components of the Armed Forces shall be entitled to leave of absence from their respective duties without loss of time or efficiency rating or vacation time or salary on all days on which they shall be ordered by proper authority to duty with troops or field exercises, or for instruction, for not to exceed fifteen (15) days in any one calendar year. (Art. 57696-1 V.C.S.) A leave of absence with full pay shall be provided any State employee who is called to active duty with the National Guard by the Governor of Texas. Such leave shall in no way be charged against the employee's vacation or sick leave.

Maternity Leave

At the discretion of and arrangement by the senior administraror, and on recommendation of the department head, maternity leave without pay may be granted for a period not to exceed six (6) months. Maternity leave shall begin at least thirty (30) days prior to the anticipated birth date of a child, and a physician's statement verifying the anticipated birth date will be required. An employee will not be eligible for such leave until after three (3) years of continuous service. Request for maternity leave must be made at least three (3) months prior to the beginning date of the leave. Approval of such leave shall be contingent upon the securing of a satisfactory temporary replacement. The University is under no obligation to return the employee to any position other than the one occupied at the time of taking leave. Vacation leave and sick leave shall not accumulate during maternity leave.

Absenteeism

Any employee of the University who absents himself from duty for all or part of a working day without notification or explanation shall be subject to disciplinary action. In case of satisfactory explanation, the day or part thereof shall be charged against accumulated vacation leave. Approval for such exceptions must come from the President.

SECTION 13. LOST AND FOUND

The Office of the University Police Department maintains a lost and found service. Lost or found articles should be promptly reported to this office.

SECTION 14. MASTER CALENDAR

Master Calendar scheduling forms will be sent from the Office of Student Affairs to each department and to each student organization by May 1 for listing proposed activities and requesting facilities for the following Fall and Spring semesters. Reservations will be accepted only from departmental chairmen and from student organizational presidents.

During the period May 1 - June 1, the annual recurring events will receive priority, both in being placed on the master calendar and in the reserving of campus facilities.

After June 1, activities of the following types will be scheduled: mid-week student dances, area high school and choir functions, one-act student-directed plays, student music recitals and student organization functions.

No function not specifically sponsored by Midwestern University will be scheduled until August 1.

SECTION 15. MEDICAL CARE

The University Health Service is set up primarily for the benefit of the student and is financed by their fees. The services of the Infirmary are available to faculty and staff on an emergency basis only.

SECTION 16. NEPOTISM

No officer of this State nor any officer of any district, county, city, precinct, school district, or other municipal subdivision of this State, nor any officer or member of any State district, county, city, school district or other municipal board, or judge of any court, created by or under authority of any General or Special Law of this State, nor any member of the Legislature, shall appoint, or vote for, or confirm the appointment to any office, position, clerkship,

employment or duty, of any person related within the second degree by affinity or within the third degree by consanguinity to the person so appointing or so voting, or to any other member of any such board, the Legislature, or court of which such person so appointing or voting may be a member, when the salary, fees, or compensation of such appointee is to be paid for, directly or indirectly, out of or from public funds or fees of office of any kind or character whatsoever; provided, that nothing herein contained, nor in any other nepotism law contained in any charter or ordinance of any municipal corporation of this State, shall prevent the appointment, voting for, or confirmation of any person who shall have been continuously employed in any such office, position, clerkship, employment or duty for a period of two (2) years prior to the election or appointment of the officer or member appointing, voting for, or confirming the appointment, or to the election or appointment of the officer or member related to such employee in the prohibited degree.

SECTION 17. OFF-CAMPUS SPEAKERS

The Board of Regents of Midwestern University respects the rights of the faculty and the student body of Midwestern University to have full freedom in the discussion and presentation of all information and issues. This includes the right to invite off-campus speakers whose ideas and views differ from those of the Board, its individual members or the President of Midwestern University. It is the policy of this Board that the facilities of this institution, which were paid for by the taxpayers of Texas from their earnings in our society based on law and order, be <u>not</u> made available to any person or persons who by reason of their prior expressions or past actions would likely use the invitation to advocate: lawlessness and disregard for the laws of this country; change in the laws of this country, other than by means provided for within the constitution and the laws of the United States and the various States; and the violent overthrow of our government.

In the case of highly controversial speakers, announcement should be made at least thirty days prior to appearance so that faculty might have the opportunity to discuss issues with the students. Also, no such speaker shall be presented who will not consent to interrogation (not heckling) by students and faculty following their presentation.

Every precaution should be taken to maintain the highest level of excellence and good taste in such matters commensurate with the dignity of an institution of higher education.

The President of Midwestern University is directed to initiate whatever procedures are necessary to execute the above published policy of this Board.

SECTION 18. OUTSIDE EMPLOYMENT

By State law, faculty and other full-time University employees under contract are limited to "one position of honor, trust or profit." This does not, however, prohibit a limited amount of consultation services by an employee in the field in which he is especially trained. All service should be of a high professional level, such as to bring credit to the faculty member and to the University. Such arrangements are subject to approval by the Board of Regents.

The employee involved should set forth in writing the proposed consulting relation, including hours required (no more than an average of ten clock hours per week) and other pertinent information. The completed form should be submitted to the President, with prior approval by the Department Chairman, Dean of the School and the Vice President for Academic Affairs inscribed thereon. If, after approval, it is clearly evident that such employment is detrimental to performance of duties as a member of the University staff, the President will have authority to request its termination. University responsibilities shall have priority.

According to State law, no moneys appropriated may be expended for the salary of any officer or employee who is absent from the State and not on official business for more than thirty days during any single fiscal year.

SECTION 19. PARKING FOR FACULTY AND STAFF

Faculty and staff members who wish to park on campus must register their motor vehicle with the University Police Department. Parking permits will be issued at no charge to the faculty and staff. A copy of the parking and traffic regulations will be given at this registration time and any individual operating a vehicle on campus is subject to the penalties for violation of regulations as listed and for city ordinances and State laws governing driving and parking. The University assumes no responsibility for vehicles or their contents when parked on campus. Faculty and staff shall be limited to two (2) parking permits at any one time.

SECTION 20. PATENTS - COPYRIGHTS - PUBLICATIONS - TEXTBOOK ADOPTIONS

All such matters will be handled on the basis of adequate recognition of the interests of the University and the individual faculty member. Publication of any material in the name of the University should be cleared through the Vice President for Academic Affairs. If it involves solicitation of outside funds, it must be approved by the President.

The Board of Regents shall approve payment by the University of a royalty direct to the author who is a University employee on any publication sold by the University Bookstore.

Any commercially printed workbook, textbook or material used by students (authored or co-authored by Midwestern University faculty members) must be recommended for approval to the Academic Council. The Department Chairman will show in writing that the adoption is realistically priced and has been properly evaluated. A review of any adoption will be made by the department concerned at the end of three years. All subsequent adoptions of this same work will be approved by the Academic Council.

SECTION 21. PERSONNEL RECORDS

The senior administrator shall be responsible for maintaining a complete and up-to-date file on each employee. The employee is responsible for the accuracy of such records at all times. The University assumes no responsibility for soliciting vital information but should be kept informed on all matters such as change of address, etc.

The senior administrator shall be responsible for accurate records on such items as leaves, sick leave, vacations and other pertinent facts regarding the employee's efficiency and responsibility.

Each new employee, before assuming the duties of the position for which employed, is required to execute an affidavit prescribed by law and adopted by the University, and a withholding exemption certificate for receiving credit for dependents in the Federal Income Tax deduction. All employees must also file information for the Texas Teacher Retirement System or Optional Retirement Program if eligible. A Social Security number must be furnished the Business Office. The Business Office will provide the necessary forms. No salary or wages will be released by the Business Office until these requirements are met.

No information will be released from personnel records without the written permission of the person involved.

SECTION 22. PHYSICAL EXAMINATIONS

Prior to appointment to a regular position all full-time employees are required to have a physical examination. The Midwestern University Physical Examination Record, available in the Infirmary, is the proper form to use. Any exceptions must be approved by the President.

SECTION 23. POLICE ADMINISTRATION AND REGULATORY ORDINANCES

ARTICLE I. STATUTORY AUTHORITY

Section 1. Pursuant to the authority granted by Statutory Law of the State of Texas (Vernon's Annotated Civil Statutes, Article 2919-J, Section 1 through 12), these regulations are promulgated for the purpose of providing for the protection, safety and welfare of the students and employees of Midwestern University, a State institution of higher education, and for the protection and policing of the buildings and grounds of said institution.

ARTICLE II. POLICE ADMINISTRATION AND SUPERVISION

Section 1. There is hereby established at Midwestern University a Police Department under the control and supervision of a Chief of Police appointed by the University and responsible directly to the Vice President for Business Affairs.

Section 2. Officers of the Police Department of Midwestern University are to be bona fide peace officers, bonded and commissioned by the Board of Regents of said University as Peace Officers. Any officer commissioned hereunder is hereby vested with all the powers, privileges and immunities of peace officers while on the property under the control and jurisdiction of Midwestern University or otherwise in the performance of their duties.

Section 3. It shall be the duty of the University Police Department to enforce all regulations of the University applicable to street traffic and vehicle regulations, all State laws applicable on all the properties under the control and jurisdiction of Midwestern University, and to make arrests for traffic violations, to investigate traffic accidents and to cooperate with other State and area officers in the administration of traffic laws and in developing ways and means to improve traffic conditions, and to carry out those duties especially imposed by these regulations and to assist in the prosecution of those persons charged with violations of law or causing or contributing to such traffic accidents.

Section 4. The University Police Department shall keep records of all violations of traffic regulations of the University, and of all State vehicle laws of which any person has been charged on University property, together with a record of final disposition of all alleged offenses. Such records shall be so maintained as to show all types of violations and the total of each. All forms for records of violations and notices of violations shall be serially numbered and all records and reports shall be public records.

Section 5. It shall be the duty of the University Police Department to maintain a suitable record of all traffic accidents, arrests, convictions and complaints reported for each driver, which shall be filed alphabetically under the name of the driver.

Section 6. All of the general and criminal laws of the State of Texas are declared to be in full force and effect within the areas under the control

and jurisdiction of Midwestern University and enforcement of these laws shall be the duty of the officers of the Police Department of the University.

Section 7. It shall be the duty of the officers of the University Police Department to enforce all University regulations stated herein or hereinafter included and such other Federal, State and Municipal laws applicable on areas under the control and jurisdiction of the University.

Section 8. The Chief of Police, or his designated assistants, shall have the authority to place temporary traffic control devices and barricades in any area, or upon any drive or street, for the purpose of altering the normal route of vehicular travel or regular parking, when necessary for safety purposes or for special functions.

ARTICLE III. TRAFFIC AND VEHICLE REGULATIONS

Section 1. All Articles of the Texas Motor Vehicle Laws and the uniform traffic code, in addition to regulations promulgated by the University, shall be applicable on all properties under the control and jurisdiction of Midwestern University open to vehicular traffic.

Section 2. Penalty

A. Any violation of the State traffic laws or of University traffic and vehicles regulations will constitute a misdemeanor punishable by a fine of not more than Two Hundred Dollars ($200.00) in any Justice of the Peace Court in Wichita County, Texas, or the Corporation Court of the City of Wichita Falls, Texas.

B. Any violation of University traffic and vehicle regulations may, however, as an alternative, be enforced by the University in accordance with the procedures, fees and penalties stated for specific violations as enumerated in the following Sections of this Article.

Section 3. Registration

A. All students, faculty members, staff members and employees of Midwestern University who operate a motor vehicle on the campus must register the vehicle on campus and obtain a University decal before such persons are allowed to park their vehicle on University property. All registration decals are to be obtained from the Midwestern University Police Department.

B. A motor vehicle registration fee of Eight Dollars ($8.00) per semester will be assessed those students operating a motor vehicle on the University campus who enroll for eight (8) or more credit hours. This fee will be applicable for both the Fall and Spring semesters. Provided, however, that the Administrative Council may assess a reasonable fee of a lesser amount for certain special programs, non-credit courses or off-campus extension type programs.

C. A motor vehicle registration fee of Four Dollars ($4.00) will be assessed those students operating a motor vehicle on the University campus

who enroll for less than eight (8) hours per semester.

D. A motor vehicle registration fee of Four Dollars ($4.00) will be assessed for either one or both summer terms. Provided, however, that students who registered their vehicle(s) for the preceeding Spring semester will not be required to pay the summer registration fee.

E. Students who operate more than one motor vehicle on the University campus may register an additional vehicle for a fee of One Dollar ($1.00).

F. Two (2) or more persons will not be permitted to register the same vehicle.

G. No faculty member, staff, employee or student of Midwestern University may have more than two (2) vehicles registered at one time. Before registering an additional vehicle, the registration decal or a portion thereof must be turned in to the Midwestern University Police Department.

H. No decal shall be displayed on any vehicle other than that vehicle to which it is registered.

I. The registration decal does not assure anyone that parking space will be available at all times.

Section 4. Required Display of University Decal

A. The decal must be permanently affixed to the left top portion of the rear bumper. Provided, however, that on vehicles having no rear bumper, the decal shall be affixed on the inside and at the lower left of the rear windshield. Provided, further, that on two (2) wheel vehicles, the decal shall be affixed to the rear fender. Where these provisions are not possible, because of vehicle design, arrangements shall be made with the Midwestern University Police Department to place the decal in some convenient location mutally agreed upon by the owner and the Police Department.

B. Upon selling, trading or otherwise changing ownership of a vehicle, the registration decal must be turned in to the Midwestern University Police Department. The registration of such vehicle will automatically become void upon such change of ownership. Duplicate registration decals may be

purchased for a fee of One Dollar ($1.00) providing that the voided decal is turned in to the Midwestern University Police Department.

C. Applications for the privilege of parking and operating a motor vehicle upon the campus for each semester must be secured beginning with the registration for classes during that semester.

D. A tolerance period will be allowed during registration and no citations will be issued in this period for not displaying a decal. Enforcement will begin and citations will be issued for this violation beginning with the first (1st) day of scheduled classes following late registration.

Section 5. Moving Vehicle Regulations

A. It shall be a violation to drive or operate a motor vehicle at any time upon the campus in excess of twenty (20) miles per hour.

B. Every vehicle shall, at all times, grant Right of Way to pedestrians.

C. Every driver shall, upon approaching a traffic control signal, bring his/her vehicle to a complete stop and pause briefly before proceeding with caution.

D. No vehicle shall be driven after dark without the vehicle headlights operating.

E. No vehicle shall be operated at any time upon the lawns or any other place not specifically designed for vehicular traffic. Provided, however, that these rules shall not apply to authorized emergency vehicles or grounds and maintenance vehicles of the University.

F. All motor vehicles shall be so muffled, or otherwise equipped, as to effectively and efficiently prevent loud and/or unusual noises or annoying smoke discharging from the exhaust of such vehicle.

G. It shall be a violation to willfully fail or refuse to comply with any lawful order or direction of a Police Officer or to interfere with a Police Officer in the performance of his duty.

H. It shall be a violation to drive a vehicle from a stopped position at such a rate of acceleration so as to leave tire marks upon the street or drive, or to create a screeching or shrill noise capable of being heard at a distance of 300 feet.

I. It shall be a violation to remove, or in any way tamper with, any traffic control or device, whether permanently affixed at a given location or temporarily located by the University Police Department to regulate traffic.

Section 6. Parking

A. Where parallel parking is indicated, the vehicle must be

parked with wheels on the side of the car parallel to and not more than one foot from the curb. The position of the car with reference to the dividing line between adjacent spaces shall be such that the whole of the car is located within the boundaries of the parking space.

B. In case of streets upon which parking on both sides is permitted, a car must be parked with passenger side to the curb.

C. Where parallel parking is permitted on one-way streets, cars must be driven into parking spaces with the front end of the car forward in the direction in which traffic is allowed.

D. Where diagonal or vertical parking is required, every vehicle must be placed within the boundaries of its space, and MUST NOT BE BACKED INTO A SPACE. The restriction on being backed into a space shall not apply to motorcycles.

E. It shall be a violation to park, stop or stand a vehicle in a street, drive or roadway in such a fashion as to obstruct or impede the normal flow of traffic.

F. It shall be a violation to park or stand a vehicle adjacent and parallel to a legally parked vehicle (double parking).

G. It shall be a violation to park a vehicle in any of the following places:

1. Areas bordered in yellow except for purposes indicated (loading zone, etc.)
2. On any lawn
3. On any curb or sidewalk
4. Any area bordered in red
5. In front of a fire hydrant
6. On any space designated for unloading purposes only
7. In front of or in any service drive
8. Any space marked "No Parking"
9. Any space marked "Reserved" without a reserved decal. Provided, however, that reserved parking restrictions

shall not apply on Saturdays, Sundays, holidays and between 8:00 P.M. and 7:00 A.M. This exception shall apply only to the general reserved and non-reserved spaces. Individually marked spaces (President, Vice President, Visitor, etc.) shall be reserved at all times.

10. It shall be a violation for vehicles with "Reserved" decals to park in a non-reserved space.

H. Midwestern University Police personnel shall have the authority to tow away, at the owner's expense, a motor vehicle found to be in violation of any University parking regulations.

Section 7. Penalty for Violations

Violations of campus traffic regulations will be processed in accordance with the following schedule of fees.

A. The penalty for all parking violations shall be Two Dollars ($2.00) first offense, Five Dollars ($5.00) second offense, and Ten Dollars ($10.00) third offense. Repetition of offenses to determine penalty shall be on a semester basis.

B. The penalty for failure to display registration decal shall be the same as all parking violations.

C. The penalty for improperly displaying registration decal shall be the same as all parking violations.

D. The penalty for all moving violations shall be Five Dollars ($5.00) first offense, Ten Dollars ($10.00) second offense, and Fifteen Dollars ($15.00) third offense.

E. An additional fee of Two Dollars ($2.00) will be assessed for each violation if the fee is not paid within TEN (10) CALENDAR DAYS immediately following issuance of the citation.

F. The following procedures shall be followed by persons who receive notices of violation of University traffic regulations:

1. Report to Traffic Office where violation fee will be accepted.

2. If the person charged is unable to pay the fee within the ten (10) day period, he should report to the Police Department. A waiver of the late penalty fee may be considered if suitable arrangements are made within the ten (10) day period.

3. Should a student wish to contest a ticket, he may appeal in writing to the Traffic Appeals Committee through the Student Affairs Office within ten (10) calendar days from the date the ticket was issued. Tickets

must be paid prior to appeal. A refund will be made if the student is found not guilty of the violation. In the absence of a duly appointed, functioning traffic appeals committee, the Vice President for Student Affairs, Dean of Students and Assistant Dean of Students shall serve as the Appeals Committee to hear the case.

4. Should the person charged not pay the violation fee within the allotted ten (10) calendar day period, then the person charged will be mailed a notice notifying him that the ticket must be handled within seven (7) days from the date of the notice. The late penalty fee will not be waived. Failure to comply with this notice constitutes reason for disciplinary action and a complaint may be filed in City or Justice of the Peace Court for the violation.

5. Any person accumulating three (3) violations in one (1) semester will be subject to disciplinary action including removal of parking privileges.

6. All traffic and parking fees are to be paid at the Midwestern University Police Office between 8:00 A.M. and 5:00 P.M., weekdays only. These fees may also be submitted by mail provided that the Midwestern University Police Department is contacted to determine the exact amount of the fee.

7. Should any member of the faculty or staff wish to contest a traffic citation, he or she may appeal in writing to a traffic committee within ten (10) calendar days from the date the ticket was issued. A hearing shall be held at the convenience of the committee and the results shall be forwarded to the Police Office within five (5) days after the determination is rendered. The determination of the committee shall be final, except that the charge will be filed in the Justice or Municipal Courts should the cited person fail to follow the dictates of the traffic committee. The traffic committee shall consist of three to five persons representing both faculty and staff and shall be appointed by the President.

Section 8. Exceptions Emergency Vehicles

The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may

exercise the privileges set forth in this section but subject to the conditions herein stated.

A. The driver of any authorized emergency vehicle except an ambulance may:

1. Park or stand, irrespective of the provisions of these regulations.
2. Proceed past a red or stop signal or stop sign.
3. Exceed the prima facie speed limits so long as he does not endanger life or property.
4. Disregard regulations governing direction of movement or turning in specified directions.
5. Police vehicles may disregard alley regulations and traffic control signals or devices while in the performance of duty.

B. Driver of an ambulance may do all those acts set out in numbers 1, 2 and 4 of subsection A; however, the driver of an ambulance may not exceed the prima facie or posted speed limits in excess of ten (10) miles per hour and may not enter or proceed through any intersection that is controlled by an official traffic control device other than a signal, at a speed greater than ten (10) miles per hour.

C. The exemptions herein granted to an authorized vehicle shall apply only when the driver of any said vehicle while in motion sounds audible signal by bell or siren, as may reasonably be necessary, and when the vehicle is equipped with at least one (1) lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of such vehicle, except that an authorized emergency vehicle operated as a police vehicle need not be so equipped.

D. The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.

Section 9. Definitions

A. Campus shall include all property bounded by Hampstead Lane on the north, Taft Street on the east, Midwestern Parkway on the south and West Campus Drive on the west.

B. Vehicle shall be every device in, upon or by which any person or property is or may be transported or drawn upon a highway or street, except devices moved by human power or used exclusively upon stationary rails or tracks.

C. Motor vehicle shall include all vehicles which are self-propelled. All such vehicles must be registered.

D. Student shall include all persons enrolled in credit and non-credit courses.

E. Student Responsibility is defined as responsibility for any vehicle that is registered in his name regardless of the operator. Parking tickets are issued to the automobile, not the operator. The student is also responsible for any vehicle operated by him regardless of the state vehicle ownership registration.

F. Visitor shall be defined as one who has no affiliation, association or relationship with Midwestern University as a student, faculty, staff or employee.

G. Authorized Emergency Vehicles shall be vehicles of the Midwestern University Police Department, Wichita Falls Fire and Police Departments, Public and Private Ambulances for which permits have been issued by the State Board of Health, emergency vehicles for the City of Wichita Falls, emergency vehicles of all utility companies holding valid franchise from the City of Wichita Falls, Texas, and all wreckers that have a towing capacity of 12,000 pounds or more and are equipped with the following:

1. One yellow beacon ray
2. Three safety flares - burnable type or glass-reflector type
3. One broom
4. One shovel
5. A radio capable of sending and receiving on the police frequency
6. Safety four-wheel brake lock
7. Heavy-duty steel chains
8. A heavy-duty tie rope
9. One four-pound dry chemical fire extinguisher
10. Minimum of $25,000 and $50,000 Public Liability Insurance

H. Right of Way - The privilege of the immediate use of the roadway.

I. Park - When prohibited means the stopping or standing vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

J. Person - Every natural person, firms, co-partnership association or corporation.

K. Driver - Every person who drives or is in actual physical control of a vehicle.

L. Pedestrian - Any person afoot.

M. Police Officer - Every officer of the Midwestern University Police Department or any officer authorized to direct or regulate traffic or to make arrest for violations of traffic regulations.

N. Street or Highway - The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

O. Roadway - That portion of a street or highway improved, designed or ordinarily used for vehicular travel, exclusive of the curb or shoulder. In the event a highway includes two (2) or more separate roadways the term "Roadway" as used herein shall refer to any such roadway separated but not to all such roadways collectively.

P. Traffic Control Signal - Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and proceed.

Q. Moving Violations - Any violation where a vehicle is being operated by a driver or occupied by person in the driver's position of the vehicle.

R. Parking Violations - Any violation where the vehicle is not being operated by a driver, including all registration violations.

Section 10. General Information

A. All thefts, accidents and offenses that occur on campus should be reported immediately to the Midwestern University Police Office or to the Policeman on duty.

B. A record of all serial numbers on valuables should be kept. Mark auto accessories so they may be identified. Write your name and address on all textbooks.

C. Keys or valuables should not be left in cars. Always keep your car locked.

ARTICLE IV. OTHER OFFENSES

Section 1. Firearms, Fireworks, and Explosives

Possession of firearms, fireworks or explosives of any description is hereby prohibited on University grounds or property or in approved student housing.

Section 2. Gambling

Gambling in any form by the use of cards, dominoes, billiards, dice, pool, table tennis, snooker or any other means specifically defined by State law, shall be prohibited on University grounds or property or in approved student housing.

Section 3. Alcoholic Beverage

It shall be unlawful for any person to consume any alcoholic beverage or for any person to possess any alcoholic beverage for the purpose of consuming same on any University grounds, in University buildings or in any approved student housing. Alcoholic beverage, in so far as it is applied to this Section, shall mean alcohol and any beverage containing more than one-half of one percent ($\frac{1}{2}$ of 1%) of alcohol by volume which is capable of use for beverage purposes, either alone or when diluted, including all distilled spirits, liquor, wine and vinous liquor and ale and malt liquor as defined in Article 666-3A of Vernon's Annotated Penal Code of the State of Texas.

Section 4. Unlawful Demonstration and Assembly

It shall be unlawful for any person, acting either singly or in concert with others, to obstruct or disrupt, by force or violence or by stated threat of force or violence, any teaching, research, administrative, disciplinary, public service or other activity authorized to be held or conducted on the campus of Midwestern University. As used in this regulation, the words "force or violence" include such acts as "stand-ins," "sit-ins," and lie-ins," when such acts are in fact obstructive or disruptive of any of the authorized activities listed above.

Section 5. Parades and Processions

No procession or parade shall be held on University grounds or property without first securing a permit from the Vice President for Student Affairs and all such requests for permits shall state the time, place of formation, proposed line of march, destination, and such other regulations as the Vice President for Student Affairs may set forth therein.

Section 6. Obstructing Streets, Sidewalks

It shall be unlawful for any person or for any grouping or assemblage of persons whose standing, remaining or congregating upon any street or sidewalk on Midwestern University properties shall obstruct, prevent, or interfere with the free or unobstructed use of said street or sidewalk by other persons, to fail or refuse to move on or to disperse upon being ordered to do so by any peace officer of Midwestern University or other peace officer of the State of Texas.

Section 7. Trespassing

It shall be unlawful for any person to trespass upon the grounds or use the facilities of Midwestern University without the express consent and permission of the University. It shall further be unlawful for any person or persons having legitimate access to the buildings and facilities to enter into or use such buildings and facilities during prohibited hours as promulgated and amended from time to time by the University administration.

Section 8. Solicitation

It shall be a violation for any person to solicit or sell to individual students at any time on the property, campus or grounds of Midwestern University except in those cases where specific authorization has been extended by the Board of Regents of Midwestern University.

Section 9. Penalty

Every person violating any of the provisions of this Article shall be deemed guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not more then Two Hundred Dollars ($200.00).

ARTICLE V. The provisions of these Articles shall be cumulative of all other regulations governing the Acts herein defined and any such regulation previously promulgated found to be in conflict with these provisions shall be and the same is hereby repealed.

ARTICLE VI. If any provision of these Articles is held to be invalid, such invalidity shall not affect other provisions which can be given effect without the invalid provision, and to this end the provisions of these Articles are declared to be severable.

SECTION 24. PUBLICATIONS POLICY AND PUBLICATIONS BOARD

Publications Policy

All publications will maintain the highest level of excellence in such matters commensurate with the dignity of an institution of higher education.

Publications Board

1. It shall be the purpose of this Board to supervise the following campus publications: The Wichitan, Wai-Kun, Faculty Forum Papers, Ahimsa,

Scholarly Studies, Midwestern University Quarterly and such other publications as may be authorized by the Board of Regents.

2. The Board shall be composed of eight members. Three (Vice President for Academic Affairs, Vice President for Student Affairs and Vice President for University Affairs) shall be appointed by the President of the University; four members shall be elected for a period of two years in staggered terms - one faculty member from each School to be elected by the School; and one student to be elected by the Student Senate. The Vice President for Business Affairs, chairmen of related committees or faculty advisors of each publication shall be ex-officio members. The Chairman of the Publications Board shall be elected by voting members to serve for a period of one year.

3. When the Publications Board cannot agree on a given item, final approval or rejection shall rest with the President of the University.

4. Basic responsibilities of the Publications Board shall be:

   a. To approve recommendations for campus publications.

   b. To recommend adequate funding of each publication.

   c. To approve faculty sponsors, editors and to appoint necessary committees to assure proper handling of each publication.

   d. To approve general policy of each publication and supervise activities of all publications within the confines of the Publications Policy as set forth above.

   e. To accept responsibility for decisions on controversial items when such items are submitted by the editor, thereby releasing the editor of responsibility. If the Publications Board so desires, it may pass this or any other responsibility for decision on to the President of the University who will finally approve or reject.

SECTION 25. RETIREMENT

All faculty and staff who have passed their sixty-fifty birthday will be retired. Any appointments beyond this period will be on an annual basis at

the discretion of the Board of Regents. Such appointments may be made in keeping with the following options:

Deans of Schools and Department Chairmen may be retained after age sixty-five and assigned to teaching duties on a full-time or modified basis, determined by the physical and mental vigor of the individual and the needs of the University, at a salary to be determined.

An administrative officer, on the basis of his ability to perform and the needs of the University, may be assigned to teaching duties, if qualified, or to a position involving subordinate duties in the office previously held, or to some other assignment mutually agreeable to him, the administrator responsible for the area involved and the President, at a salary to be determined.

The effective date of retirement shall be August 31 of the fiscal year which includes the stipulated age of sixty-five.

No person shall be retained on the faculty or staff of the University beyond August 31 of the fiscal year in which he reaches seventy years of age.

SECTION 26. SMOKING

As a precaution against fires, and in recognition of the fact that some people find tobacco smoke unpleasant, smoking within classrooms, laboratories, studios or designated areas is prohibited. Employees should be guided at all times by what is appropriate and in good taste.

SECTION 27. SOCIAL SECURITY

By action of the Board in 1956, Social Security for both academic and non-academic personnel of the University was approved. The law requires the University to deduct specified amounts from the earnings of each employee and this is matched with an equal amount by the University. Details are available in the Business Office.

SECTION 28. SOLICITATION BY SALESMEN

Because Midwestern University desires to obtain maximum efficiency from the faculty and staff in application of time and effort, and because on-campus solicitation of business by certain firms and collection agencies whose concern has been primarily aimed at individuals for personal purposes has caused loss of working time and created job distractions within and on the campus of Midwestern University, solicitation of business and collection of accounts from and on behalf of individuals for personal purposes is prohibited on the campus and grounds of Midwestern University except in those cases where specific authorization has been extended by the Board of Regents of Midwestern University and/or is permitted by Legislative Enactments.

SECTION 29. SOLICITATION OF FUNDS IN UNIVERSITY'S NAME

Any solicitation of funds in the name of the University or any department

or organization thereof, whether faculty or student, must be approved by the Vice President for University Affairs. A statement clearly outlining both the procedure to be used and the use to be made of the funds must be submitted in writing before the solicitation is approved. No member of the staff or student body shall have the right to use the name of the University in any personal ventures. In cases where such may be done, on testimony of a donor, such funds become the property of the University.

SECTION 30. STANDARDS OF PERSONAL CONDUCT

Every effort is made by the University to employ personnel who are not only competent in their chosen duty but who "understand the rights and duties of the citizen in a democratic society" and who are "diligent and competent in the performance of their obligations as members of the community and citizens of the state and nation." Personal conduct which does not measure up to a high standard of excellence shall be grounds for dismissal. Good manners and good morals are the keys to wholesome campus influence.

ARTICLE 6252, Section 9, Vernon's Civil Statutes, further states:

STATE OFFICERS AND EMPLOYEES STANDARDS OF CONDUCT
Chapter 100
H.B. No. 3

Declaration of Policy

Section 1. It is hereby declared to be the policy of the Legislature that no officer or employee of a state agency, Member of the Legislature or legislative employee should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature which is in substantial conflict with the proper discharge of his duties in the public interest. To implement such policy and strengthen the faith and confidence of the people of Texas in their Government, there is herein enacted a code of ethics setting forth standards of conduct to be observed by state officers and employees in the performance of their official duties. It is the intent of the Legislature that this code shall serve not only as a guide for official conduct of the State's public servants but also as a basis for discipline of those who refuse to abide by its terms.

Definitions

Section 2. In this Act, unless the context otherwise requires:

(a) "State agency" means any office, department, commission or board of the executive department of government.

(b) "Regulatory agency" means the Board of Insurance Commissioners, Banking Department, Railroad Commission, and Texas Liquor Control Board.

(c) "Legislative employee" means an officer or employee of the Legislature, Legislative Budget Board, Legislative Council and the State Auditor's Office, but does not include Members of the Legislature.

Standards of Conduct

Section 3. (a) No officer or employee of a state agency, legislator or legislative employee shall accept any gift, favor, or service that might reasonably tend to influence him in the discharge of his official duties.

(b) If an officer or employee of a state agency, legislator or legislative employee is an officer, agent, or member of, or owns a controlling interest in any corporation, firm, partnership, or other business entity which is under the jurisdiction of any state regulatory agency he shall file a sworn statement with the Secretary of State disclosing such interest.

(c) No officer or employee of a state agency, legislator or legislative employee shall use his official position to secure special privileges or exemptions for himself or others, except as may be otherwise provided by law.

(d) No member of the Legislature who has a personal or private interest in any measure or Bill, proposed, or pending before the Legislature shall vote thereon but shall disclose such interest to the House of which he is a Member and such statement shall be recorded in the Journal.

(e) No officer or employee of a state agency, Legislator or legislative employee shall accept employment or engage in any business or professional activity which he might reasonably expect would require or induce him to disclose confidential information acquired by him by reason of his official position.

(f) No officer or employee of a state agency, Legislator or legislative employee shall disclose confidential information gained by reason of his official position, nor shall he otherwise use such information for his personal gain or benefit.

(g) No officer or employee of a state agency shall transact any business in his official capacity with any business entity of which he is an officer, agent, or member, or in which he owns a controlling interest.

(h) No officer or employee of a state agency shall make personal investments in any enterprise which will create a substantial conflict between his private interests and the public interest.

(i) No officer or employee of a state agency nor any firm, association, corporation or other business entity in which he is a member, agent, or officer, or in which he owns a controlling interest, shall sell goods or services to any person, firm, association or corporation which is licensed by or regulated in any manner by the state agency in which such officer or employee serves.

(j) No officer or employee of a state agency, Legislator or legislative employee shall accept other employment which might impair his independence of judgment in the performance of his public duties.

(k) No officer or employee of a state agency, Legislator or legislative

employee shall receive any compensation for his services as an officer or employee of a state agency, Legislator or legislative employee from any source other than the State of Texas, except as may be otherwise provided by law.

Non-compliance

Section 4. The failure of any officer or employee of a state agency, Legislator or legislative employee to comply with one or more of the foregoing standards of conduct which apply to him shall constitute grounds for expulsion, removal from office, or discharge, whichever is applicable.

SECTION 31. UNIVERSITY DAMES

The University Dames is a social organization for women on the University faculty and staff and for wives of men on the faculty and staff. One of its primary purposes is to help new members become acquainted and to help all members to know each other better. The University Dames meet approximately once each month for programs, luncheons, teas and other such activities as the program committee plans. Throughout the year, there are other informal gatherings of various groups within the organization.

SECTION 32. USE OF ALCOHOLIC BEVERAGES

None of the monies appropriated by the State shall be used for the payment of salaries to any employee who uses alcoholic beverages while on active duty. None of the funds appropriated by the State for travel expenses may be expended for alcoholic beverages.

SECTION 33. USE OF OFFICE TELEPHONES

Excessive use of office telephones by persons other than those employed in the offices has resulted in tying up lines and general distraction to office personnel; therefore, use of office telephones is restricted to office personnel except in case of emergency.

Long-distance telephone calls charged to the University must be submitted to the switchboard operator on the Long-Distance Telephone Report form. The report form must be signed by the department head and must be filled out

completely with adequate details as to the purpose of the call. This report form shall be the basis for charging the long-distance telephone calls to the respective departments. Unofficial calls are not to be charged to the University.

SECTION 34. USE OF UNIVERSITY MATERIALS AND EQUIPMENT

Departmental budgetary limitations are the only restrictions to unlimited use of University materials and equipment for classroom and laboratory activities, and for University-sponsored programs. University property will not be used for the printing and distribution of unauthorized publications nor for publicizing in any way activities and programs not sponsored by the University nor for printing materials to be used in off-campus programs unrelated to the University.

PART II.

UNIVERSITY AFFAIRS POLICIES AND REGULATIONS

SECTION I. STATEMENT OF PURPOSE

When a university begins to think seriously about the initiation of a university advancement program, or the revamping of the one it already has, it generally means that the institution clearly foresees the need for a program which will project the desired image of the university to its many constituencies. The end result of such a program is to bring to the institution increased measures of good will and increased financial resources for predetermined purposes.

University Affairs is that part of educational administration including the primary activities of private and federal financial resources, public relations, public information, campus hospitality, planning, deferred giving, ex-student affairs and intercollegiate athletics.

The University Affairs program is more than just raising funds on an annual basis. Complete results of this program may not become evident for a considerable period of time. Even after the desired image is recognized, the institution must gain the confidence and good will of the various publics to merit their support. The University Affairs staff does not advance an institution alone. It takes a fully integrated organization.

SECTION 2. SOLICITATION OF FUNDS

The fund-raising phase of a University Affairs program must be a carefully coordinated activity. Most gifts of consequence are the results of a careful cultivation of the donor. It is not a sound practice to have potential donors plagued by several persons from the University, each requesting support for an activity.

Any solicitation of funds in the name of the University or any department or organization thereof, whether faculty or student, must be approved by the Office of the Vice President for University Affairs. A statement clearly outlining both the procedure to be used and the use to be made of the funds must be submitted in writing before the project can be considered for approval.

No member of the faculty, staff or student body shall have the right to use the name of the University in any personal ventures. In cases where such may be done, on testimony of a donor, such funds become the property of the University.

SECTION 3. DEVELOPMENT OF PROPOSALS FOR FEDERAL OR FOUNDATION SUPPORT

Individuals who will develop proposals for federal or foundation support should note the following procedural steps for the progress of the request from initiator to final approval.

1. Review and concurrence by the Chairman of the department in which the project originates.

2. Budget review and concurrence by the Vice President for Business Affairs.

3. Review and concurrence for compatibility with policies and regulations of the University and supporting agency by the Vice President for University Affairs.

4. Review and concurrence by the Dean of the School in which the project originates.

5. Review and concurrence by the Vice President for Academic Affairs.

6. Review, concurrence and signature by the President of the University or his authorized agent.

Procedures are stated in detail in the Proposal Preparation Handbook. Copies are available from the University Affairs Office.

Information concerning possible sources of funds is maintained on campus in the University Affairs Office.

SECTION 4. PUBLIC INFORMATION OFFICE

All items of university news are to be sent to this office for release. Distribution of news releases to all interested persons at the same time helps the University to maintain good relations with all news media.

Deadlines of the two local and area newspapers will be respected. Radio and television stations require no definite deadline but copy should be at the station several minutes before air time.

Whenever possible information sent in for release by faculty members, organizations, departments or schools should be typewritten giving all the basic facts. Those times when the foregoing cannot be done, telephone the Public Information Office, however, have all the basic information available when you call.

SECTION 5. OFF-CAMPUS SPEAKING AND PERFORMANCE

Faculty and staff members are encouraged to participate in off-campus activities as a public service. Since the University has no funds available to offer such services free of charge, it is expected that the group engaging a person will meet such costs as mileage, meals, lodging. Honorariums are generally not required; however, this should be cleared by the individual accepting the engagement ahead of time in order to avoid embarrassment and misunderstanding.

SECTION 6. UNIVERSITY PUBLICATIONS

There are certain publications that are essential to the orderly operation of any institution. Some such publications are the general catalog, a general institutional newsletter or magazine, brochures or folders dealing with special programs and those needed to tell its many publics what the university is accomplishing and how adequate support may enable it to do a better job.

Coordination of such publications is handled by the University Affairs office. Personnel in the University Affairs office are available to assist departments in the preparation of folders or brochures for their programs.

SECTION 7. EX-STUDENT MEMBERSHIP

Anyone attending Midwestern University one year or more is a member of the Ex-Student Association.

The purpose of the Association is to stimulate the interest and participation of the alumni in the progress of the University and to preserve and further the feeling of loyalty and fellowship between the institution, faculty, students, and alumni.

Any former students of Midwestern University who have attended one year or more or any member of the faculty and staff, will be an active member of the Association upon sending a gift of $10.00 or more to the Annual Fund.

Any persons not being former students or members of the faculty and staff who have a genuine interest in the welfare of the University may become associate members of the Association upon sending in their name and paying the annual dues.

Any person not being a former student of the University who has performed some signal service for the University may be elected to honorary membership by the Executive Council of the Association.

SECTION 8. INTERCOLLEGIATE ATHLETICS

The University sponsors an intercollegiate athletic program recognizing the broad educational, social, ethical and physical values inherent in such a program. The Athletic Program attempts to provide a laboratory for the development of unselfishness, self-sacrifice, individual, team and institutional loyalty.

Athletics provide an environment where, regardless of race, creed or economic level, success may be achieved because of effort, perseverance, merit and dedication to purpose.

The nature and size of this institution pre-determines that all the athletic coaching staff have teaching responsibilities.

The following are basic objectives for the athletic program:

1. To provide opportunities for students to develop their talents and fulfill personal desires for competition through participation in a variety of sports.

2. To encourage the student athlete's wholehearted endeavors in acquiring an education worthy of his best efforts.

3. To provide a standard around which the students, faculty, staff, alumni and friends of the University can rally.

4. To provide an opportunity for the students, faculty, staff, alumni and friends to learn, appreciate, and enjoy an involvement with keen competition; and this with dedication to sportsmanship, respect for others, adherence to the rules and ethics of the game.

5. To provide competent guidance by sustaining a strong athletic committee which recommends policies and procedures to the University administration for governing athletics.

6. To provide a development laboratory for vocational careers for coaches and recreational personnel.

7. To apply the standards accepted by academic departments to all coaching personnel who have administrative or teaching responsibilities.

8. To evaluate continually the entire athletic program in all its phases to insure consistent adherence to the stated objectives.

The following policy statement regarding intercollegiate athletics was adopted by the Board of Regents on May 13, 1972.

1. That the Midwestern Coliseum be used as follows:

   a. For educating students in the art of all types of athletics and physical education.

   b. For general faculty use as to physical development.

   c. For promotion of recruitment of prospective students.

d. For various types of entertainment that produce revenue for athletics or other Midwestern organizations.

e. For promotion of good will of the general public.

f. For any other purposes that the administration or Athletics Committee deem advisable.

2. That the position of Athletic Director be increased in authority and that he eventually be in charge of recreation sports, that the Athletic Director be a member of a committee that schedules the use of the Coliseum and that the Athletic Director be in charge of all coaches of intercollegiate athletics.

3. That the intercollegiate athletic program be expanded to compare favorably with other State-supported universities our size, and that minor sports be added to our program as soon as finances are available.

4. That the Athletic Committee be consulted and advised with on all major policy matters concerning the athletic program.

SECTION 9. INTRAMURALS and EXTRAMURALS

The intramural movement probably started because of the interest of men who did not take part in varsity athletics but who wanted to participate in team sports. The scope of intramurals - extramurals has been expanded to include a wide variety of sports and recreational activities.

Objectives of the intramural-extramurals have broadened as the programs have grown. The intramural program objectives include:

1. An opportunity to use leisure time in a wholesome way. Relaxation through physical recreational activities is just as important during-school life as after-school life.

2. An opportunity to develop physical fitness traits such as strength, endurance and the neuromuscular coordination that makes for agility and confident control of one's movements.

3. An opportunity to maintain better mental, emotional, and physical health through exercise.

4. An opportunity to increase social contacts through intramural play. Friendships established in the classroom are often increased on the playing fields.

5. An opportunity to develop group loyalties by belonging to a team.

6. An opportunity to develop a permanent interest in sports. The intramural program offers great carry-over values to those students who participate in the activities.

The extramural athletic program is a volunteer, noncredit activity which provides highly-skilled men and women the desired competition with other colleges and universities. No scholarships are available in any extramural activity. This program as an outgrowth of the intramural program has been offered because:

1. It is believed that men and women should have the opportunity to learn sports skills and participate in sports which are valuable social and recreational tools which may be used to enrich their lives in our society.

2. It is believed that men and women can benefit from physical activity in maintaining general health.

3. It is believed that men and women will develop self-confidence and establish desirable interpersonal relationships through sports participation.

PART III

ACADEMIC POLICIES AND REGULATIONS

SECTION 1. ACADEMIC FREEDOM AND ACADEMIC RESPONSIBILITY

The purpose of this statement is to promote public understanding and support of academic freedom and tenure and agreement upon procedures to assure them at Midwestern University. Midwestern University is conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition.

Midwestern University is committed to the solution of problems and controversies by the method of rational discussion. Acts of physical force or disruptive acts which interfere with University activities, freedom of movement on campus, or freedom for students to pursue their studies are the antithesis of academic freedom and responsibility as are acts which in effect deny freedom of speech, freedom to be heard, and freedom to pursue research of their own choosing to members of this academic community or to invited visitors to this community.

Academic freedom is the right of scholars in institutions of higher education freely to study, discuss, investigate, teach and publish.

Academic freedom applies to both teaching and research. Freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights.

1. Academic Freedom

A. The faculty member is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his other academic duties; but other activities for pecuniary return must be based upon an understanding with the University administration.

B. The faculty member is entitled to freedom in the classroom in discussing his subject; but he must be careful to present the various scholarly views related to his subject and avoid presenting totally unrelated material.

2. Academic Responsibility

The concept of freedom is accompanied by an equally demanding concept of responsibility. The University teacher is a citizen, a member of a learned profession, and an officer of Midwestern University. When he speaks or writes as a citizen, he is free from institutional censorship or discipline, but his special position in the community imposes special obligations. As a man of learning and an educational officer, he must remember that the public will judge his profession and his institution by his utterances. Hence he should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he is not a Midwestern spokesman.

SECTION 2. TENURE POLICY

Tenure means assurance to an experienced faculty member that he may expect to continue in his academic position(s) unless adequate cause for dismissal is demonstrated in a fair hearing, following established procedures of due process. Tenure is not conferred automatically, but may be granted by the Board of Regents who act on recommendation by the Midwestern University administration. A recommendation for or against tenure will be made in writing on or before the end of the year preceding the year of expiration of the provisional period, by the department chairman, endorsed by the dean of the school and sent to the office of the vice president for academic affairs.

Tenure for the faculty at Midwestern University may be considered by the Board of Regents according to the following conditions:

1. A faculty member shall have received increasingly satisfactory to superior merit ratings during the provisional period.

2. Beginning with appointment to the rank of full-time instructor or higher rank, the provisional period for considering a faculty member for tenure shall not exceed seven years, including within this period appropriate full-time service as a faculty member in all institutions of higher education. This is subject to the provision that when, after a term of provisional service of at least three years in one institution which is acknowledged in writing at the time of employment, a faculty member is employed by Midwestern University, his new appointment is for a provisional period of not more than four years (even though thereby the person's total provisional period in the academic profession is extended beyond seven years). Tenure may be granted after one year of service to a faculty member who leaves a tenured position at another institution to come to Midwestern. In all other cases a faculty member must serve a minimum provisional period of three years at Midwestern University. No faculty member will be granted tenure until he has achieved the rank of assistant professor or higher.

A faculty member assigned to an administrative position does not have tenure in that position. An administrator above the level of department chairman who holds tenure in his professional rank must be reevaluated upon assignment to full-time teaching responsibilities.

Cause for dismissal of a faculty member with tenure may be established by demonstrating professional incompetence, moral turpitude, or neglect of professional responsibilities.

Phasing out of institutional programs, or cases of financial emergency may require exceptions to tenure regulations:

1. Faculty members involved in such adjustments will be given opportunities for appointment in related areas provided they are qualified professionally to teach in such areas, and such positions are available.

2. Faculty members who can present prima facie evidence of discriminatory treatment or infringement of academic freedom in such situations have the right to a fair hearing before the Hearing Committee.

3. Any faculty member involved in such a readjustment process who is still on the Midwestern University staff has the right to reappointment to his previous position if it is reestablished within two calendar years.

If the faculty appointment is to be terminated, the faculty member, except in cases of moral turpitude or neglect of professional responsibilities, will receive a salary for no more than one year.

1. Faculty Dismissals.

Dismissal procedures, established in anticipation of their being needed, are essential to an effective tenure system. At Midwestern University, they have the following components:

A. These dismissal procedures apply to a faculty member (1) who has tenure, or (2) whose term appointment has not expired, or (3) who alleges a prima facie case of a violation of academic freedom in the non-renewal of his contract. If he has tenure or an unexpired appointment extending beyond the period of the proposed dismissal, the burden of proof is upon the administration to show adequate cause why he should be dismissed. If he does not have tenure, but contends that the non-renewal of his contract constitutes a violation of his academic freedom, the burden of proof is upon the faculty member.

B. Proceedings for dismissal cases are as follows:

(1) Personal Conference. When reason arises to question the fitness of a faculty member, the appropriate administrative officers will discuss the matter with him in personal conference. The matter may be terminated by mutual consent at this point; but if an adjustment does not result, the matter will be taken up by an advisory committee.

(2) Advisory Committee. The advisory committee is to be a standing committee composed of one member elected from each of the schools full-time tenured teaching faculty for a staggered two-year term. All school members with the academic rank of instructor or above are eligible to vote for the committee member. The committee's proceedings may be informal and flexible. It will make such inquiry as it deems necessary, offer confidential advice to the faculty member and the administration, and attempt to effect an adjustment. If none is effected, the advisory committee, the faculty member, or the President may recommend a hearing. Investigation and deliberation of the committee on a case should be accomplished within a three-week school calendar period.

If a hearing is recommended, the President will send a registered letter to the faculty member informing him of the grounds for dismissal proceedings, and informing him that, should he so request, a hearing to determine whether he should be removed from his faculty position will be conducted by the hearing committee at a specified time and place on campus. The President's letter should inform the faculty member of the procedural rights which will be accorded to him in the hearing. These should include a faculty adviser of his own choosing to act as counsel; a full stenographic record of the proceedings, a transcript of which is to be made available to him and to the President; the right to question witnesses; the opportunity to be confronted by all witnesses adverse to him; and, if a witness cannot appear, the right to the name and statement of the witness.

(3) Hearing Committee. The hearing committee is to be an ad hoc committee selected by the following procedure. The executive committee of the Faculty Senate will randomly select seven members from the full-time tenured faculty of the University. Each member so selected may be challenged for cause to the executive committee of the Senate by either the faculty member or his representative, or the President or his representative. A faculty member selected as a member of this committee may also petition the executive committee to be excused for cause. Alternates are to be selected as needed by the above procedure to replace those ruled ineligible to serve.

If the faculty member desires a hearing, he must write to the institution's President within a one-week period after official receipt of notification of dismissal requesting a hearing and the selection of the hearing committee.

Suspension of the faculty member from his usual duties during the proceedings involving him is justified only if his welfare or that of the institution or its students is threatened by his continuance. Any such suspension will be with pay and with appropriate provisions for useful duties whenever possible.

In deliberating, the committee will allow oral arguments or written briefs by the President or his representative, and by the faculty member or his representative. The committee will make explicit findings with respect to each of the grounds of removal presented and will recommend whether there is adequate cause for dismissal. If the committee's report is not unanimous, a minority report will be filed. The committee's recommendation will be conveyed in writing to the President and to the faculty member.

(4) Governing Board. The President will report to the Board of Regents, through its Personnel Committee, any incidents requiring hearings and will keep the Committee fully advised of all proceedings and the final disposition of the case.

The President will transmit the full report of the hearing committee to the Board of Regents. If the Board of Regents chooses to review the case, its review should be based on the record of the previous hearing, accompanied at the discretion of the Board by opportunity for argument by the principals or their representatives. The decision of the hearing committee should either be sustained or the proceedings be returned to the President and to the committee with objections specified. In such case, the committee should reconsider, taking account of the stated objections and receiving new evidence if necessary. It should frame its reconsidered recommendation and communicate it in the same manner as before. Only after study of the committee's reconsideration may the Board of Regents render a written decision overruling the committee.

2. Publicity.

The proceedings of the hearing committee will be confined to the principals, their advisers, the witnesses called by the committee, and such observers as the committee may specifically invite. The advisory committee, the hearing committee, witnesses, principals, advisers, observers, and the governing board shall abide by the following principle regarding publicity. Except for such brief announcements as may be required, covering the time of any meeting and related matters, public statements about the case will be avoided. All records of the proceedings, since they may include discussions of sensitive material, must remain confidential.

SECTION 3. EMPLOYMENT POLICIES

1. Written terms of employment.

Each year the Board of Regents of Midwestern University will provide each faculty member with a statement in writing of the terms of his employment, including special conditions, responsibilities and any special prerequisites. The document will cover such items as rank, salary, tenure provisions, and the inclusive dates of the term of service. Contracts or notification of intent to employ will be made no later than March 31, unless unavoidable budget procedures beyond the University's control forbid.

2. Notice of nonreappointment.

Notice of nonreappointment, or of intention not to reappoint a faculty member, will be given in writing in accord with the following procedures:

A. Not later than March 1 of the first academic year of provisional service, if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination.

B. Not later than December 15 of the second year of provisional service, if the appointment expires at the end of that year.

C. At least twelve months before the expiration of a provisional appointment after two or more years.

D. In cases of phasing out or reduction of institutional programs, or when the Board of Regents determines that there is a financial necessity, notice of nonreappointment must be given at least six (6) months prior to termination.

3. Recruitment and resignation of faculty members.

The following guidelines are suggested for both the administration and faculty members at Midwestern University.

A. Negotiations for the possible appointment to teach the following fall of persons who are already faculty members of other institutions will be begun and completed as early as possible in the academic year. It is desirable that the faculty member who has been approached with regard to a position at Midwestern inform the appropriate officers of his institution when such negotiations are in progress. The conclusion of a binding agreement for the faculty member to accept an appointment should always be followed by prompt notice to his institution.

B. Usually a faculty member will not resign in order to accept other employment as of the end of the academic year, later than May 15 or 30 days after receiving notification of the terms of his continued employment the following year, whichever date occurs later. In an emergency a faculty member may ask the appropriate officials to waive this requirement; and he should conform to their decision.

C. To permit a faculty member to give due consideration and timely notice to his institution in the circumstances defined in paragraph 1 of these procedures, an offer of appointment for the following fall at Midwestern will usually not be made after May 1.

D. Except by agreement with Midwestern University, a faculty member should not leave or be solicited to leave his position during an academic year for which he holds an appointment.

E. Employees seeking voluntary termination will submit their resignation in writing prior to the period designated in the contract and leave work in good condition. Emergency situations will be given special consideration by the administration. A clearance form which may be obtained at the Office of the Vice President for Academic Affairs must be processed by the individual before leaving the campus.

4. Annual evaluation.

All members of the faculty, both tenured and non-tenured, are evaluated for their performance annually using a merit rating system. The department chairman makes the primary evaluation and together with the dean of the school submits recommendations on merit rating, rank and tenure to the Merit Commission - President, Vice President for Academic Affairs and Dean of the School. In conference with the department chairman the Merit Commission considers these recommendations, and either supports them or makes revisions which are mutually agreeable and seem necessary for the particular case. It then forwards the final recommendations on merit, rank and tenure to the President and the Board of Regents for approval.

Merit rating forms for faculty and for department chairmen are available in the Office of the Vice President for Academic Affairs. They include the following points which are arranged in descending order of importance:

Faculty Merit Rating

A. Teaching performance

B. Professional developments

(1) Scholarly activities
(2) Participation in professional activities
(3) Classroom innovations and methods

C. Organizational relationships

(1) Interest in students
(2) Departmental activities
(3) Interest in Midwestern

Departmental Chairman Merit Rating

A. Teaching performance

B. Professional developments

(1) Scholarly activities
(2) Participation in professional activities
(3) Program developments

C. Leadership

(1) With faculty
(2) In the department and University
(3) Overall aspects of his program

D. Work load

A satisfactory rating leads to rewards, e.g., salary increases, promotion, tenure, as appropriate to each individual case. The faculty member is to be informed of his merit rating by his department chairman.

An unsatisfactory merit rating will require the following actions:

A. Immediate conference with department chairman and dean to determine causes of the unsatisfactory rating and to establish a program of personal development.

B. Report of preceding action to the Vice President for Academic Affairs, the President and the Personnel Committee of the Board of Regents.

An unsatisfactory merit rating may result in the following action:

A. Dismissal following the procedures described in Section 1 - non-reappointment for the non-tenured faculty, and due process for the tenured; or

B. Probation consisting of one or more of the following actions:

--official letter of reprimand from the President and Board of Regents

--no salary increase

--reduction in salary

--no promotion in rank

5. Promotion.

The following are the minimum requirements for academic ranks, but meeting these requirements does not mean automatic promotion. Changes in rank will come at the contract period except for special consideration in unusual cases.

The University Administration reserves the right to make exceptions to this policy within reasonable and valid limits.

Instructor

A. Earned doctor's degree* in teaching field.

B. Master's degree* in teaching field, but with preference given to the experienced teacher.

Assistant Professor

A. Earned doctor's degree* in teaching field and evidence of superior worth** to the profession and the University.

B. Master's degree* in teaching field, plus 30 semester hours and 3 years' teaching experience (equivalent***) in higher education, and evidence of superior worth to the profession and the University.

Associate Professor

A. Earned doctor's degree* in teaching field, 3 years' teaching experience (equivalent***) in higher education, and evidence of superior worth** to the profession and the University.

B. Master's degree* in teaching field, plus 60 semester hours, and 5 years' teaching experience (equivalent***) in higher education, and evidence of superior worth to the profession and the University.

Professor

Earned doctor's degree* in teaching field, 8 years' teaching experience (equivalent***) in higher education, and evidence of superior worth** to the profession and the University.

*Practical experience accompanied by recognition as an authority may be evaluated as meeting degree and/or teaching requirements; or, in such fields as art and music - where academic degrees are not generally accepted as the soundest measure of competence - special training in recognized institutions (conservatories or studios) may be an equivalent to the Master's or Doctor's degree.

**Criteria for judging superior worth to the profession and the University include but are not limited to the following:

A. Effective teaching
B. Developing scholarship
C. Research activity and scholarly publications
D. Distinction in creative fields
E. Professional standing and leadership
F. Interest in students and their activities
G. Interest in institution and its future development and contributions to its public image
H. Length of service at Midwestern University

***Equivalency for teaching experience in higher education will be determined according to the following within reasonable limits:

One year in higher education will equate to two years in (1) public school teaching and/or administration or (2) business and/or industrial experience related to the person's discipline.

6. Part-time Faculty.

A. Employment. It is the policy of the University to use part-time faculty only when necessary. Such part-time instructors must meet the minimum requirements as an instructor and have their records on file prior to the beginning of class work. The normal requirements for committee work

and other similar full-time faculty responsibilities will not be made. All such personnel are required to have a contract issued through the President's Office.

B. Pay Scale. A standard pay scale for part-time faculty is on file in the office of each dean.

C. Parking Permits. Part-time faculty are entitled to parking permits without charge. Vehicle registration decals may be obtained at the University Police Office.

7. Summer School Teaching.

The University makes every effort to provide opportunity for summer teaching, however, it cannot guarantee such employment even if desired. Each faculty member will be generally limited to one term, thus allowing alternation or rotation. Exceptions are to be recognized in departments where summer enrollment requires the services of all or most of the regular departmental faculty. Faculty members are encouraged to participate during the summer in worthwhile activities leading to professional and teaching development, every third summer being suggested as a minimum.

For positions where regular faculty are not available or there is an insufficient number to handle the classes, visiting professors and part-time instructors will be employed. Visiting professors of outstanding ability may be brought to the campus for the enrichment of a program at the discretion of the administration.

Six semester hours in each summer session shall be considered a full load.

SECTION 4. FACULTY BENEFITS

1. Health Service and Medical Care Insurance. (See Part I)

2. Social Security. (See Part I)

3. Optional Retirement. (See Part V)

4. Enrollment in University Courses. (See Part I)

5. Tax-Sheltered Annuity Program. (For additional information inquire at the Office of the Vice President for Business Affairs.

6. Exemption From Non-resident Tuition. Immediate family members of new out-of-State faculty are exempt from non-resident tuition.

7. University Research Grants.

The University looks upon faculty research as extremely valuable and wishes to encourage and assist worthy faculty members in their efforts, so long as they contribute to the primary purpose of the University; namely, education through teaching and research. The University does not follow a policy of making research appointments but, through recommendations of its Committees on Research, does encourage and assist programs of recommended research to the fullest ability of its resources. Procedures for the implementation of and participation in the organized research program are as follows:

A. Each school will operate with its own research committee, three to five members, appointed by the dean of the school concerned. One of the members will be designated chairman of the committee. The dean will report the names of the committee members to the Director of Organized Research by October 1.

B. Application for research funds will be made on Form 1R. Sufficient copies of the form, pages 1 and 2, will be prepared and submitted to the chairman of the School Research Committee - one for each committee member and two copies to the Director of Organized Research.

C. Guidelines for the School Research Committee:

(1) In most cases avoid making a second grant to a person who has not made a significant contribution by use of his first grant, i.e., a published article, a paper read at a professional meeting, a finished art product, a well-defined modification or contribution to our academic program.

Before recommending a second grant proposal the committee should evaluate the written progress report and/or the terminal report.

(2) Require a written progress report and evaluate before recommending funds to extend the original grant.

(3) Forego underwriting research on a person's doctoral thesis.

(4) The Director of Organized Research may approve from his budget a limited number of proposals for the improvement of university instruction.

D. Each School Research Committee will review proposals submitted by the school faculty members and will select several of significant worth to be forwarded to the dean of the school. The dean of the school will evaluate these proposals and recommend for approval the most worthy within the limitation of the school's budget to the Director of Organized Research. The Director of Organized Research, after review of each proposal, will submit a recommendation for approval to the President of the University.

Each proposal approved by the President will go to the Business Office and an account will be set up for the individual making the proposal. (Form 2R) - four copies: Chairman of the Research Committee, Dean of the School, Director of Organized Research and the Business Office.

The Business Office will notify each faculty member that his research project has been approved and will give him the account number of the project.

E. All recipients of research grants are required to file four copies of (a) Progress Report (Form 3R), due May 1 of each year, and on completion of the project four copies of (b) Terminal Report (Form 4R) - one copy each to the Chairman of the Research Committee and the Dean of the School and two copies to the Director of Organized Research.

F. The Chairman of the School Research Committee will keep a file on each faculty member doing organized research in the school and will make reports as requested by the dean of the school and the Director of Organized Research.

G. The Chairman of Research Committees of the schools will act as an advisory group to the Director of Organized Research who may call meetings of the deans when questions or problems concerning part of or the total program are involved.

H. The deans will keep records of organized research in their respective schools and will make reports to the Director of Organized Research when requested.

I. Any research funds not committed by the schools by December 1 will be lapsed to the Director of Organized Research for his distribution subject to the approval of the Vice President for Academic Affairs.

J. Cost of research reprints up to a maximum of fifty copies per article may be authorized by the School Research Committee. Requisitions for reprints signed by the chairman of the committee are sent to the Director of Organized Research for his approval.

Since University funds are limited, individuals and departments are encouraged to seek research grants, especially those providing for basic research. Equipment acquired in a research project reverts to the department involved in the research except in cases in which the equipment has definite utility for two or more departments, or if the grantor specifies otherwise. In the event the equipment has definite utility for two or more departments, disposition will be determined by the President and Vice President for Academic Affairs upon recommendation by the Research Committee.

A faculty member whose research is underwritten by funds from Midwestern's regular budget is not obligated to reimburse the institution for income received on copyrighted material provided that the name of Midwestern University is recorded on the material.

Any research grant, once made, will be administered entirely by the approved researcher who will not be restricted by object of expenditure classification. He will be required to maintain financial records and make an itemized report to the Director of Organized Research at the end of the year with a carbon copy to the Vice President for Academic Affairs.

A copy of all research publications by Midwestern University faculty and staff must be placed on file in the Midwestern University Library, thus assuring an accessible file of these important publications.

Information concerning possible sources of research funds is maintained on campus. For further information call the Office of the Dean of the Graduate School.

The following policy covers research assistants:

(1) Research contracts are executed by the University on behalf of the individual faculty member involved.

(2) All employees involved in a research project are University employees; therefore, come under University regulations.

(3) These employees are designated "Research Assistants." Such research assistants can be paid only from research funds.

(4) Employment records for these persons must be completed and approved by the administration before being valid.

(5) All students hired to assist on specially funded research projects will have their pay rate set by the person heading the research project. The rate must meet the minimums required by State and Federal law. Student research assistants are exempt from the minimum enrollment regulation for student assistants if they are enrolled during the semester of employment.

8. Incentive Grants/Loans.

The purpose of the incentive grants is to improve the professional preparation of the Midwestern University staff by providing opportunity for further short-term study, pursuing advanced degrees or post doctoral study. Any member of Midwestern University faculty or staff who has demonstrated excellence in discharging his or her responsibilities and who has demonstrated a commitment to Midwestern may apply for a grant and/or loan. Preference shall be given to faculty or staff who have an approved educational objective that is clearly defined, related to the University's needs, who has completed at least two years of service and who has not had a grant in the past three years.

Applications from full-time teaching faculty for the following summer and/or academic year are to be received by the Vice President for Academic Affairs no later than December 15. The Vice President for Academic Affairs with the approval of the Academic Council shall make recommendations

for the grants on a priority basis to the President prior to January 1. Applications from other staff members are submitted to the Vice President for University Affairs not later than December 15. The Vice President for University Affairs, with the approval of the Administrative Council, shall make recommendations for grants on a priority basis to the President prior to January 1.

The President shall make recommendations to the Midwestern University Foundation Board of Trustees and final approval shall be given by the Foundation Board of Trustees by January 15.

The availability of funds makes it necessary to generally limit the grant to not more than six hundred dollars ($600) per recipient. Priority will be given to requests for summer grants.

Incentive loans not to exceed $2,000 per person are also available from the M.U. Foundation. Such loans are made non-interest bearing while the borrower is actually enrolled in an institution working toward his educational objective for a period not to exceed twelve consecutive months. Interest is charged at the rate of six percent (6%) from the time the borrower returns to his duties at Midwestern. A repayment schedule is established for each loan; however, under normal circumstances a loan is to be paid within two years after the borrower has returned to Midwestern.

Any individual receiving an incentive grant and/or loan will be required to return to Midwestern University for two academic years or will be required to repay the amount of grant and/or loan in full before leaving the University.

9. Communications.

Mail boxes at the campus post office are assigned faculty members for all personal and campus-wide communications. The University Bulletin is published each week to report news and information of interest to the campus community. Faculty members are encouraged to submit news of their accomplishments and activities, and announcements of significant events to the Office of Public Information for publication in the Bulletin.

SECTION 5. REGULATIONS

1. Teaching Load.

Instructional assignments are determined by the chairman of the department and dean of the school subject to the approval of the Vice President for Academic Affairs and the President of the University. A faculty member will be assigned classes where needed, either day or evening.

Most full-time faculty carry a twelve-semester hour teaching load. In no case will the maximum load exceed sixteen semester hours during the long semester; eight semester hours for one summer term or a total of fourteen semester hours for two successive summer terms.

Two laboratory hours will be counted as equivalent to one classroom hour.

The supervision of three theses or six problems will be counted as equivalent to one three-hour course. A student may be counted for two enrollments only (6983 and 6993) regardless of the number of times it is necessary for him to enroll to complete his thesis.

Twenty-five clock hours of instruction in applied music will be considered a maximum load. Every effort will be made to hold these loads to twenty hours.

The supervision of student teaching will be equated as follows:

Two six-hour enrollments equal one hour of teaching load.

Four three-hour enrollments equal one hour of teaching load.

Any reduction of a teacher's load not authorized by general policies already in effect must be approved by the Vice President for Academic Affairs and the President of the University.

Each departmental chairman will file a report of faculty load and student enrollment in each class immediately following the 12th class day each semester and the 4th day for each summer term on forms provided by the Office of the Vice President for Academic Affairs. This report will indicate faculty load in accordance with standards stated above. Only active enrollees should be reported and should be in agreement with the 12th and 4th day report submitted to the Registrar.

The teaching of classes "by arrangement" is not permitted other than for thesis students and problems courses of a research nature.

2. Classroom and Office Assignments.

Classroom and office assignments will be made by the chairman of the department subject to the approval of the dean of the school. Reassignments of office space in which more than one department within the school is involved will be made by the dean. Any changes in the meeting place of a scheduled class must be approved by the chairman of the department and reported to the Registrar.

3. Class Size.

Departments should plan schedules on a two-year rotating basis to safeguard the required minimum enrollments:

Undergraduate - 10 students per class as of the 12th class day of a long session semester and the 4th class day of a summer term.

Graduate - 5 students per class as of the same class days.

Class enrollments should go slightly above the minimum to allow for shrinkage below the reporting date. The University reserves the right to cancel classes which do not meet these preferred minima.

4. Textbook Adoptions.

Any commercially printed workbook, textbook or material used by students and authored or co-authored by Midwestern University faculty members can be recommended for approval by the Academic Council. The department chairman must show in writing that the adoption has been realistically priced and properly evaluated. A review of any adoption must be made by the department concerned at the end of three years. All subsequent adoptions of this same work must be approved by the Academic Council.

5. Physical Examinations.

A physical examination using the University form is required of all faculty members at the time of original appointment. Any exceptions must be approved by the President. These forms are available at the University Infirmary. Personnel may use a licensed medical doctor of their own choosing or utilize the services of the University physician for a moderate fee.

Graduate teaching assistants, who are not Midwestern graduates, are required to have a physical examination at the time of their original appointment. Part-time faculty are not required to have a physical examination. (See Part I)

6. New Faculty Orientation.

Prior to registration for the fall semester new faculty will assemble for a Midwestern University orientation program, which will include information from the areas of academic affairs, business affairs, student affairs, the Registrar's Office, and the Library.

7. Attendance at Meetings.

A faculty member is obligated to attend and participate in committee activities to which he is assigned. Request for absence from a meeting should be made to the chairman of the committee concerned.

Faculty members are expected to attend all official faculty meetings including the preregistration Faculty/Staff Conference each fall. Request for absence from a meeting must be made to the dean of the school.

Other meetings which faculty members are expected to attend include all school convocations, Honors Day programs, etc.

8. Commencement.

All members of the faculty are expected to participate in commencement activities. Permission to be absent from these services can be granted only by the Vice President for Academic Affairs. Academic attire - cap, gown, and hood - are worn on these occasions.

9. Absence from Duty.

Any member of the instructional staff who is unable, for reasons of illness, emergency, or death in the family, to meet any class or laboratory periods will notify the chairman of his department.

When the absence is due to professional reasons such as educational meetings or field trips or visits to schools, the instructor will make provisions for classes during his absence which are satisfactory with the chairman of the department and the dean of the school.

A "Leave of Absence" form is to be processed well in advance of any trip that can be anticipated.

10. Late Arrival and Early Departure.

Ordinarily no permission will be granted faculty members for leaving school before the end of a term or for late arrival. All faculty members are expected to be ready to perform on-campus duties as necessary during the last two weeks of August. All departments are expected to maintain a small office force from that time to the beginning of orientation in order to have persons on hand qualified to counsel with transfers and beginning students concerning M.U. programs. Anyone needing to be out of town during this period should process the usual Leave of Absence forms. (See Part I)

11. Public Office.

No member of the staff shall run for election to public office without written permission from the Secretary of the Board of Regents before public announcement is made. The University reserves the right to request the resignation of any faculty or staff member prior to announcing for public office, should the staff member decide to become a candidate. (See Part I)

12. News Releases.

Faculty members are requested to give information concerning their work or activities to the Office of Public Information and not directly to the newspaper or other news agencies. (See Part II)

13. Office Hours.

Each faculty member is expected to keep at least two office hours daily. A schedule of these hours must be posted for the convenience of students and others. All faculty members are encouraged to make themselves available as much as possible for consultations with students during regularly scheduled terms.

14. Smoking in Building.

In keeping with safety regulations and in recognition of the fact that some people find tobacco smoke unpleasant, smoking within classrooms, laboratories, studios and other designated areas is prohibited.

15. Addresses and Telephone Numbers.

New faculty members are requested to file their addresses and telephone numbers with both the Office of Academic Affairs and the Office of Business Affairs. These will be included in the next edition of "Telephone Directory, Campus Exchange."

Any change of address or telephone number of all University personnel will be reported to both offices stated above. Unlisted telephone numbers must be registered with the Vice President for Academic Affairs for emergency use only.

16. Acceptance of Money from Students.

Faculty members may not accept pay from students for extra instruction. They may not collect fees or charges for institutional purposes, nor sell books, notes, or supplies to students without advance approval of the Board of Regents. Teaching assistants may receive pay for extra class instruction in courses with which they have no connection, but only after the chairman of the department involved has secured the approval of the Vice President for Academic Affairs and filed written evidence of the agreement.

17. Use of University Materials and Equipment.

Departmental budgetary limitations are the only restrictions to unlimited use of University materials and equipment for classroom and laboratory activities, and for University sponsored programs. University property will not be used for the printing and distribution of unauthorized publications nor for publicizing in any way activities and programs not sponsored by the University nor for printing materials to be used in off-campus programs unrelated to the University.

18. Outside Employment. (See Part I)

19. Patents, Copyrights, Publications. (See Part I)

20. Examinations.

It is usually advisable, especially in large classes to give frequent tests in order to provide a definite check on student progress. However, frequency and type of testing remain the prerogative of each individual faculty member except in cases where a department imposes specific regulations upon itself.

Final examinations are usually required in all courses. Where not required, the class must meet during the scheduled final examination period in the final days of the term. The final examination schedule will be followed unless a change is approved by the Vice President for Academic Affairs.

The final examination period is two and one-half hours in length. Time and length of laboratory examinations are determined by the departments which offer laboratory work.

Special Note: Every faculty member has the option to excuse graduating seniors from the final examination in his course(s) in the senior's last term only.

Final examination papers will be filed for a period of one term either in the instructor's office or in the departmental chairman's office.

21. Grades.

A. Reporting Grades. Letter grades will be turned in to the Registrar's Office according to the deadline established by the Registrar.

Final grades must be reported to the Office of the Registrar not later than forty-eight hours after the completion of each final examination, fall and spring semester; and within twenty-four hours for each summer term. Final grades for Saturday classes must be reported by the following Monday noon.

Special Note: It will be very helpful if grades are reported as soon as possible after each final examination.

B. Mid-Term Grades. Mid-term grades will be posted in a designated place (office, classroom, bulletin board) by each instructor for each course between the end of the 8th week and the end of the 10th week of each semester. All grades, A through F, will be reported for all undergraduate courses except those designated as problems, tutorial, independent study or student teaching. Incompletes will be used only in emergency situations and blanket grades will not be used at all. Students will not be identified by names on the grade lists but by social security number or other sign devised by the instructor.

Before the end of the 8th week the Registrar will furnish instructors with copies of up-to-date class rolls for grade purposes. Instructors will furnish their chairmen with a copy of the posted grade report at the time of posting.

Mid-term grades will be mailed only when a student or qualified parent submits to the instructor a self-addressed, stamped postcard. The instructor then should identify the course, indicate the grade earned and sign his/her name prior to mailing.

C. Grade Changes. A student's grade for a course once forwarded to the Registrar's Office cannot be changed unless the instructor discovers that he has made an inadvertent error and has recorded an unfair grade. If a grade change must be made, the instructor will complete the "Instructor Grade Report Correction" form (Form 8, Registrar's Office) and take it together with documents (e.g., grade book, papers, etc.) which support the request to the dean of his school. Only those approved requests which bear the dean's signature as well as the initials of the Vice President for Academic Affairs will be accepted by the Registrar.

22. Grade Distribution.

There is no intention of requiring any set distribution of grades in any one class. However, in large groups, marks should not vary widely from a normal distribution, or an adjusted distribution for upper division and graduate students. Strict application of a "curve" to small classes is considered unsound academic practice.

23. Grade Books.

Faculty members should forward to their department chairmen all grade books as they are filled or sooner if employment is terminated or a leave of absence is taken.

24. Syllabi of Courses.

The chairman of the department or the dean of the school may require that syllabi of all courses in his area be kept on file. Although this is optional, a syllabi file can be important in avoiding duplication and in developing a coordinated program of study.

25. Student Evaluation of Class Instruction.

Faculty members are encouraged to have their class content and methods evaluated by their students. Recommended forms for such evaluations are available through the chairmen and deans.

26. Walking Privileges.

Any student may leave a class if the professor-instructor has not appeared within ten minutes of the scheduled starting time. These privileges apply to all students, all classes, and all faculty members unless prior arrangements have been made for a late arrival.

27. Tutoring.

When tutoring is necessary, a qualified person who is not a member of the staff should be recommended. No staff member shall receive remuneration for tutoring a student enrolled in any of his classes. The department chairman and/or dean of the school shall be consulted for a satisfactory plan when a request for special tutoring is received.

28. Cheating by Students.

Initial cases of cheating are to be handled on an individual basis with appropriate discipline procedures by the faculty member involved. A report will be submitted to the dean of the school. If a student is involved in a second violation the case will be reviewed for immediate action by the faculty member, the chairman of the department and the dean of the school.

29. Field Trips.

Major field trips, athletic and music trips and educational tours consistent with the purposes of the course should be planned prior to the beginning of any term insofar as possible. For such events the sponsor/adviser/coach will complete an Excused Absence Form for each participating student. The completed forms will be given to the students to present to their instructors for permission to make up any work missed, and an official list of all student participants for each event will be submitted to the Vice President for Academic Affairs. The forms are available in the Office of the Vice President for Academic Affairs. Field trips should be scheduled whenever possible for weekends and never during special all-school events or examination periods.

30. Clinics, Institutes, Seminars, Short Courses, Workshops, Etc.

All plans which involve Midwestern University sponsorship of clinics, institutes, seminars, short courses, workshops or conferences which will take place from November 1 of the current year to November 1 of the following year should be submitted through channels to the Office of the Vice President for Academic Affairs no later than November 1. For events of the above types which cannot be reasonably anticipated at this time, a plan must be submitted at least 30 days prior to the event.

All proposals must include a budget, even if the enterprise is self-sustaining, showing the source of funds and the proposed expenditures.

No date on the Master Calendar can be considered permanently reserved until a proposal has been approved.

31. Library.

A. Moffett Library is dedicated to the service of the academic community. As a repository of the literature of the various disciplines, the Library is a laboratory for every class and a natural extension of the office and the classroom.

B. All faculty members are encouraged to cooperate with departmental chairmen and with deans in the selection and recommendation of materials to be ordered for the Library. This will facilitate efforts to provide materials when they are needed.

C. Faculty members may borrow books for one semester in the long terms, or for both terms in the summer. At the end of the loan period, books either must be returned to the Library or renewed.

D. Staff members who do not hold faculty rank may borrow books for three weeks with the possibility of renewal. This shorter loan period is not meant to discriminate against staff members; rather it is assumed that staff members will not need materials as long as faculty members might in their preparation for classes.

E. Members of the immediate family of a Regent, faculty member, or staff member of Midwestern University may borrow books for three weeks with the possibility of renewal.

F. Teaching assistants may borrow books for one semester or for both terms in the summer. A list of such books, signed by the teaching assistant's departmental chairman, should be presented to the Circulation Department when the teaching assistant requests this loan privilege.

G. Graduate students may borrow books for three weeks with the possibility of renewal. They may make provisions for a carrel and then charge books to their carrels for one semester. Such books should not leave the Library Building. They may be recalled for circulation if the demand is sufficient.

H. Undergraduate students may borrow books for three weeks with the possibility of renewal.

I. Periodicals, both current and bound, generally should be used inside the library building, though faculty members may borrow them for three days, and students, in some instances, may take them to a class.

J. Any person may place a "hold" on a book which is on loan. Such a book cannot be renewed by its borrower, and the person who has placed the hold should call for the book within forty-eight hours after he has been notified that the book is available.

K. Faculty members may place certain books on reserve for their classes by sending a list of such books to the Circulation Department one week prior to assigning them to the students. This will allow time to recall books which are on loan. Books on reserve will be removed from reserve at the end of each semester unless such books are to be kept on reserve for another semester.

L. Arrangements for interlibrary loans may be made with the Senior Interlibrary Loan Assistant. This privilege is usually limited to faculty and graduate students.

M. The Circulation Department may find it necessary to recall a book that is on loan if it is needed for a faculty member's reserve list or if other demands make such action necessary.

32. Use of C.C.T.V.

Video record or playback scheduling will be done only through the office of the Dean of the School of Sciences and Mathematics. Requests will be honored on a first-come, first-serve basis. All questions as to priority and mass scheduling will be referred to the Office of the Vice President for Academic Affairs.

Playback scheduling should be made as far in advance as possible preferably an entire semester, and not less than one working week. Short notice requests will be honored only if equipment and operating personnel are available. Recording sessions and studio use should be reserved at least two weeks in advance to allow sufficient time for processing purchase requisitions and to schedule student help.

Video equipment deteriorates rapidly when not used daily. All video equipment should be returned to the C.C.T.V. department after each use for routine preventative maintenance and an operation check on the day prior to departmental use. Video equipment will be delivered, set up, and rechecked for proper operation on the scheduled day or, if necessary, the day before.

SECTION 6. ORGANIZATIONS

1. Faculty Senate.

A faculty senate was organized in the fall of 1966 after two years of study by a University committee. Its stated purpose is "to provide better understanding and to promote the academic welfare of Midwestern University." Annual elections are held by each academic school with elected members serving for two years. Representation is proportioned to the number of full-time faculty members. The Constitution of the Senate is published in the Manual of Organization and Procedure.

2. American Association of University Professors.

An active chapter of the American Association of University Professors was organized at Midwestern in 1956. Membership is available to all faculty members.

3. Texas Association of College Teachers.

The local chapter of the Texas Association of College Teachers is active and invites all faculty to membership in the organization.

PART IV

STUDENT PERSONNEL POLICIES AND REGULATIONS

SECTION 1. ACADEMIC REGULATIONS

1. Standards. It is desirable that a student maintain at least a "C" average throughout his college career since that is the standard required for graduation. Any student who fails to meet that standard will therefore be placed on academic supervision and may be required to reduce his course load. Students failing to meet minimum academic standards for his classification will be placed on scholastic probation. His probationary status will be recorded on his permanent record. Further, he may be required to reduce his course load and he will be required to yield any work grants, grant-in-aid or scholarships held. Students on scholastic probation are barred from participating in the Student Senate and from holding office in class, social or service organizations. They are ineligible to obtain loans from the University.

The student is urged to consult the current University catalog regarding academic regulations; for further information regarding academic qualifications for participation in campus activities or for obtaining loans, grants-in-aid, scholarships and work grants, he should consult the Student Handbook or the Office of Student Personnel.

2. Class Attendance. Students are expected to attend all meetings of the classes in which they are enrolled.

Each instructor will keep a complete record of absences. With the exception of absences officially authorized by the Administrative Council, the instructor will pass on the justification for each absence as reported to him by the student. Justified absences include those caused by:

a. Personal illness.
b. Activities in the service of the University.
c. Death of a close relative.
d. Such other reasons as are justified in the opinion of the instructor.

The student is responsible for all work missed and is to secure make-up directions from the instructor. A student with excessive absences and/or an indifferent attitude toward his work may be dropped from a course.

Emergency Absence Report. Instructors are encouraged to report promptly three consecutive absences to the Office of Student Personnel.

3. Late Registration. A student may register late on the day designated (see calendar), subject to the approval of the student's adviser and approval of the department chairman concerned.

A fee of $5.00 is charged for late registration.

4. Change of Schedule. A student's schedule may be changed on the day designated (see calendar), subject to the approval of the student's adviser and approval of the department chairman concerned.

A fee of $3.00 is charged for each schedule change. Change of Schedule forms may be obtained from the Office of the Registrar.

5. Dropping a Course. By having an official drop form completed (with signature of both the course instructor and faculty adviser) and presented to the cashier in the Business Office, a student may drop a course during the first four weeks of a semester or through the last day of the second week of a summer term with a grade of "W." (See University Calendar.)

By having an official drop form completed (with signature of both the course instructor and faculty adviser) and presented to the cashier in the Business Office a student may drop a course from the first day of the fifth week through the last day of the twelfth week of a semester or the first day of the third week through the last day of the fourth week of a summer term. Classes dropped during these periods are subject to a grade of "WP" or "WF". The "WF" is computed in the grade average.

After the twelfth week of the semester or after the fourth week of the summer term, a grade of "F" will be recorded for the class drop.

A fee of $3.00 is charged for each form processed through the Business Office. Drop forms may be obtained in the Office of the Registrar. No drop is official until the fee is paid and the form is surrendered to the Business Office. The date of submission to the Business Office is the official drop date for grade determination (W, WP, WF, F).

An "F" is recorded for any course dropped when a student fails to obtain and process an official drop form as outlined above.

An instructor may drop a student any time during the semester for excessive absences and/or for consistently failing to meet class assignment. An instructor's drop of a student from his class takes precedent over the student-initiated course drop of a later date. The grade of "F" is awarded for all instructor drops.

6. Voluntary Withdrawal from the University. A student who desires to withdraw from the University will report to the Office of Student Personnel. If approval is granted the student will be issued a withdrawal form. He will secure clearance from the various offices noted on the form and will deposit it in the Business Office.

7. Enforced Withdrawal from the University. A student who fails to comply with the stated regulations concerning conditional admission may be required to withdraw after University review. This action will be posted to the permanent record and a statement retained in the academic file.

8. Permanent Record Entries. Dismissal, suspension, academic probation, voluntary withdrawal, enforced withdrawal, and course drops will be entered on the permanent academic record.

9. Faculty Advisers. The member of the faculty who guides the student in the selection of his courses and in solving problems. Until the student selects a major field of study he will be assigned to an undeclared major adviser. After the major is selected the chairman of the department in which the student is majoring will appoint an adviser.

Stated Purposes of the Faculty Adviser Program.

a. Provide each student with a Faculty Adviser.
b. Provide faculty counsel for students in academic matters:

   (1) Scheduling
   (2) Degree planning
   (3) Study and related problems

c. Provide faculty counsel for students in personal-social matters to the extent that it is desirable or feasible.

SECTION 2. STANDARDS OF CONDUCT

The following standards and procedures are University policy. All students need to become familiar with the information contained in this publication in order that they may be sufficiently informed of the standards of conduct established by the University.

Enrollment in Midwestern is considered by the University an implicit declaration of acceptance on the part of the student of University regulations. Violation of these regulations will subject the violator to disciplinary action.

When a student is away from the Midwestern University campus he is expected to conduct himself as a mature individual. Irresponsible actions which are reported to University officials or which become public knowledge may be the cause for disciplinary action.

It is stressed that all local, state, and federal laws are supported by the University, and violators of these could be disciplined by civil authorities and/or University officials. Being a student does not exempt a person from being a law-abiding citizen or from conducting himself as a responsible student.

1. Firearms, Fireworks, and Explosives. Possession of firearms, fireworks, or explosives of any description is hereby prohibited on University grounds or in approved student housing.

2. Gambling. Gambling in any form by the use of cards, dominoes, dice, pool, billiards, table tennis, snooker, or any other means specifically defined by State law, shall be prohibited on University grounds or property or in approved student housing.

3. Alcoholic Beverages. It shall be unlawful for any person to consume any alcoholic beverage or for any person to possess any alcoholic beverage for the purpose of consuming same on any University grounds, in University buildings or in any approved student housing. Alcoholic beverage shall mean alcohol and any beverage containing more than one-half of one per cent ($\frac{1}{2}$ of 1%) of alcohol by volume which is capable of use for beverage purposes, either alone or when

diluted, including all distilled spirits, liquor, wine and vinous liquor and ale and malt liquor as defined in Article 666-3A of Vernon's Annotated Penal Code of the State of Texas.

4. Unlawful Demonstration and Assembly. It shall be unlawful for any person acting either singly or in concert with others, to obstruct or disrupt, by force or violence or by stated threat of force or violence, any teaching, research, administrative, disciplinary, public service, or other activity authorized to be held or conducted on the campus of Midwestern University. As used in this regulation, the words "force or violence" include such acts as "stand-ins", "sit-ins", and "lie-ins", when such acts are in fact obstructive or disruptive of any of the authorized activities listed above.

5. Parades and Processions. No procession or parade shall be held on University grounds or property without first securing a permit from the Vice President for Student Affairs, and all such requests for permits shall state the time, place of formation, proposed line of march, destination, and such other regulations as the Vice President for Student Affairs may set forth therein.

6. Obstructing Streets, Sidewalks. It shall be unlawful for any person or for any grouping or assemblage of persons whose standing, remaining or congregating upon any street or sidewalk on Midwestern University properties shall obstruct, prevent, or interfere with the free or unobstructed use of said street or sidewalk by other persons, to fail or refuse to move on or to disperse upon being ordered to do so by any peace officer of Midwestern University or other peace officer of the State of Texas.

7. Trespassing. It shall be unlawful for any person to trespass upon the grounds or use the facilities of Midwestern University without the express consent and permission of the University. It shall further be unlawful for any person or persons having legitimate access to the buildings and facilities to enter into or use such buildings and facilities to enter into or use such buildings and facilities during prohibited hours as promulgated and amended from time to time by the University Administration.

8. Solicitation. It shall be a violation for any person to solicit or sell to individual students at any time on the property, campus, or grounds of Midwestern University except in those cases where specific authorization has been extended by the Board of Regents of Midwestern University.

All persons violating any of the regulations as listed above, 1 through 8, shall be deemed guilty of a misdemeanor. A misdemeanor is punishable by a fine of not more than Two Hundred Dollars ($200.00). Student violators are also subject to University Disciplinary action.

9. Drugs. Midwestern University does not condone the possession, use, or distribution of marihuana, LSD, or other hallucinogens and narcotics by its students. When there is evidence that a student is possessing, using, or distributing such drugs, the student will be subject to disciplinary action.

The degree of disciplinary action taken against any student will be determined by the circumstances surrounding each individual case and may or may not result in suspension from the University.

10. Classroom Dishonesty - Cheating, Plagiarism. Dishonest work on examinations is a serious offense as is plagiarism, the act of using source material of other persons (either published or unpublished) without following the accepted techniques of crediting. Neither offense will be tolerated by the University and appropriate disciplinary action will result.

11. Falsification of Records. Students who knowingly falsify, or are a party to the falsifying of any official University record (including such records as Application for Admission, Residence Form, Student Personnel Form, etc.) will be subject to disciplinary action which may include suspension from the University.

12. Financial Responsibility. The University expects students to discharge financial responsibilities in compliance with commonly accepted practices. This includes prompt response and cooperative relationships with creditors and those with whom business is transacted. The practice of writing bad checks and failure to meet financial responsibility in the broad sense may result in University disciplinary action.

13. Identification Card. The validated "ID" card is the official means of identification. It should be carried at all times. Lending the card to anyone or failure to present it when requested by a University official is a violation of regulations and subjects the student to disciplinary action.

14. Response to Official Notice. It is a student's responsibility to honor immediately any request from a University official. Failure to heed an official request or summons to an administrative office will render the student liable to disciplinary action.

15. Telephone-Direct Distance Dialing. All long distance calls made by students must be "collect calls" or from a pay telephone. "Direct Distance Dialing" is not to be used on campus phones. Any student found guilty of making long distance calls charged to a University number is subject to disciplinary action.

16. Traffic and Vehicle Regulations. All students who operate a motor vehicle on the campus must register the vehicle with the University Police Department and obtain a University decal before they are allowed to park their vehicle on University property. Regulations are issued when the vehicle is registered.

SECTION 3. MIDWESTERN UNIVERSITY POLICE DEPARTMENT

Pursuant to the authority granted by Statutory Law of the State of Texas a Police Department has been established at Midwestern University. Officers of the Police Department are bona fide peace officers, bonded and commissioned by the Board of Regents. The Police Department has the responsibility of enforcing all regulations of the University applicable to street traffic and vehicle regulations, all State laws applicable on all the properties under the control and jurisdiction of Midwestern University, and all University regulations applicable to their area

of responsibility. All of the general and criminal laws of the State of Texas and such other Federal, State, and Municipal laws applicable on areas under the control and jurisdiction of the University are in full force and effect.

SECTION 4. SECURITY ... BUILDING HOURS AND KEYS

University police officers are on duty 24 hours each day. Official closing hours of University buildings are Monday through Friday, 11:00 p.m.; Saturday, 5:00 p.m. Buildings will be opened at 6:30 a.m. Monday through Saturday. Buildings will be closed on Sundays and holidays unless an announcement to the contrary is issued.

Students will not be permitted in University buildings after closing hours unless accompanied by faculty or staff members for the entire period of their stay in the building. Unauthorized entry to University buildings will result in disciplinary action. Students possessing unauthorized keys will be subject to disciplinary action.

SECTION 5. SIGNS AND POSTERS: ERECTING AND PAINTING

The placement of signs and posters must be approved by the appropriate University office which, if not indicated at the posting place may be determined through the Office of Student Personnel. The use of paint or other modification of facilities for notification purposes must be approved by the Business and Student Personnel Offices.

SECTION 6. PROCEDURE IN STUDENT DISCIPLINARY MATTERS

Midwestern University recognizes the student's right as a member of society and as a citizen of the United States of America, to respect and consideration and to the Constitutionally guaranteed freedoms of speech, assembly, and association. The University further recognizes the student's right within the institution to freedom of inquiry, and to the reasonable use of the services and facilities of the University which are intended for his education.

In the interest of maintaining order on the campus and guaranteeing the broadest range of freedom to each member of the community, some rules and regulations have been adopted by the University. These rules and regulations reasonably limit some activities and proscribe certain behavior which is harmful to the orderly operation of the institution, and the pursuit of its legitimate goals. All students are held to be informed of these rules which are printed in the Student Handbook and distributed to all students at the time of registration for the fall semester each year. The Student Handbook is also distributed to each new student enrolling for the spring semester and summer session.

If any student is accused of a violation of any of these rules and he denies guilt, he is guaranteed a speedy and fair hearing before the Student Conduct Committee. Appropriate due process safeguards have been built into the procedures which govern the Student Conduct Committee so that no permanent or recorded penalty shall be meted out until the student accused shall have had a fair chance to be heard. The decision of the Student Conduct Committee may be appealed to the President of Midwestern University.

1. Student Personnel Division. The Student Personnel Division, acting through the Vice President for Student Affairs, Dean of Students or Assistant Dean of Students, is responsible for administration of discipline for unacceptable conduct or which involves infraction of University rules and regulations and will initiate disciplinary action in accordance with these regulations.

2. Preliminary Procedures. The Dean of Students or Assistant Dean of Students shall investigate any reported student misconduct before initiating formal disciplinary procedures and give the student the opportunity to present his personal version of the incident or occurrence. The Dean of Students or Assistant Dean of Students may discuss, consult and advise with any student whose conduct is called into question, and students shall attend such consultations as requested.

3. Informal Disposition. The Dean of Students or Assistant Dean of Students after investigation, and when acceptable to the student, shall have the authority to impose appropriate discipline. Where the disposition proposed by either the Dean of Students or Assistant Dean of Students in the preliminary proceeding is not accepted by the student in writing, the student shall have the rights of notice, hearing and formal procedures as hereinafter set forth before the Student Conduct Committee. If the student rejects informal disposition, the case shall be referred to the Student Conduct Committee. The Dean of Students or Assistant Dean of Students may refer extreme cases to the Student Conduct Committee without first offering informal disposition.

4. Temporary Suspension. The Vice President for Student Affairs, after consulting with the President of the University, may temporarily suspend or deny readmission to a student from the University pending formal procedures when it is believed from substantial information coming to his attention that the presence of the student on campus would seriously disrupt the University or constitute a danger to the health, safety or welfare of the University or the student. The Vice President for Student Affairs shall convene the Student Conduct Committee within 48 hours after a temporary suspension (Sunday through Thursday), or 72 hours (Friday or Saturday) to determine if the student shall remain on temporary suspension until the formal hearing by the committee. The time for the formal hearing shall also be established at this meeting and shall be scheduled within 10 days from the date of the temporary suspension.

5. Formal Procedures and Disposition.

a. Student Conduct Committee: (1) The Student Conduct Committee shall be appointed by the President of Midwestern University and shall have the authority to impose appropriate discipline upon any student or students appearing before it, including, but not limited to, official reprimand, probation, suspension or expulsion. (2) The Chairman of the Student Conduct Committee shall be the Vice President for Student Affairs. (3) The committee shall consist of three faculty and three students plus the Chairman. (4) The faculty members must have completed at least one year of teaching at Midwestern University. (5) The students must be classified as sophomore or above, have a cumulative grade point average of 2.00 or above, and must not have a record of previous disciplinary suspension taken by the University. (6) The appointments by the President of the University shall be

selected from a panel of faculty and students nominated by the Student Body President, having given due notice to the Student Body of his nominations, and individually confirmed by a majority vote of the Student Senate. A minimum of five faculty and five students shall be recommended to the University President. (7) The Chairman, two faculty and two students must be present to constitute a quorum and hear a case. (8) The Chairman of the Committee may vote only when it is necessary to break a tie vote of the Committee.

b. General Statement of Procedures: A student charged with a breach of University rules or regulations or conduct in violation of the Standards of Conduct is entitled to a written notice and a formal hearing unless the matter be disposed of under the rules for informal disposition. The procedures set forth below shall be interpreted and administered to accomplish this objective and provide for prompt consideration and disposition of student conduct cases. Disciplinary proceedings are not to be construed as judicial trials, but care shall be taken to comply as fully as possible with the spirit and intent of the procedural safeguards set forth herein.

c. Notice: The Dean of Students or Assistant Dean of Students shall initiate disciplinary actions by arranging with the Chairman to call a meeting of the Student Conduct Committee and by giving written notice by certified mail or personal delivery to the student charged with misconduct which shall set forth the date, time and place of the alleged violation, the conduct to be inquired into, and the date, time and place of hearing before the Student Conduct Committee. Notice by certified mail may be addressed to the last address currently on record with the University. Failure by the student to have his current correct local address on record with the University shall not be construed to invalidate such notice. The notice shall be mailed at least seven (7) consecutive calendar days prior to the hearing, unless a shorter time be fixed by the Chairman for good cause. Any request for continuance shall be made in writing to the Chairman, who shall have the authority in his discretion to continue the hearing if he determines the request is timely and made for good cause. The Chairman shall notify the Dean of Students or Assistant Dean of Students of the new date for the hearing, and she/he will give notice to the student. If the student fails to appear at the scheduled time, except for good cause, the Committee may hear and determine the matter in his absence.

d. Conduct of Hearing: All Student Conduct Committee Hearings shall be closed to the public. The Chairman shall preside at the hearing, call the roll of the Committee in attendance, ascertain the presence of the representative from the Student Personnel Division and the presence or absence of the student charged with misconduct. The accused student may be accompanied at the hearing by an advisor.

When several students are charged with the same offense or with offenses growing out of the same episode, the Student Conduct Committee shall determine, after the Chairman has consulted with the accused, whether in the interest of fairness to the accused and to the University, the cases should be heard separately or together.

At the outset of the hearing, the charge shall then be presented by the Dean of Students or Assistant Dean of Students. University witnesses are to be called and identified. The Committee may question witnesses at any time. The student may question witnesses at the conclusion of the University's presentation. If the Committee decides that the advisor may speak, he may also question witnesses at the conclusion of the University's presentation.

After the University has presented its case, the accused shall have the right to testify and to present the testimony of other witnesses. The Committee may question the student or witnesses in the presence of the student at any time. The Dean of Students or Assistant Dean of Students may question the student or witnesses in the presence of the student.

The Committee shall permit the University or the student to offer any matter in rebuttal of the other's presentation.

e. Rights of Student Conduct Committee: The Student Conduct Committee shall not be bound by the rules of evidence applicable in court proceedings but shall exclude immaterial, irrelevant or unduly repetitious testimony.

If any committee member is involved in an incident before the committee, he must disqualify himself from hearing the case.

The Committee may question witnesses or examine other evidence introduced by either the University or the student only during the hearing.

The Committee may call additional witnesses or require additional investigation.

The Committee may dismiss any person from the hearing who interferes with or obstructs the hearing or fails to abide by the rulings of the Chairman or the Committee on request.

The Committee may summarily suspend students from the University who, during the hearing, obstruct or interfere with the course of the hearing or fail to abide by the ruling of the Chairman of the Committee on any procedural question or requests of the Chairman for order.

f. Student Rights Upon Hearing: A student appearing before the Student Conduct Committee may have an advisor appear with him to examine any evidence presented and to consult with during the hearing.

Only the student may question witnesses present and testifying unless the committee decides that the advisor may speak.

The student may make any statement to the Committee in explanation of his conduct. He may also present evidence by witness.

The student shall be informed in writing of the findings of the Student Conduct Committee and any discipline it imposes.

The student may appeal to the President of the University any decision reached by the Student Conduct Committee.

g. Determination by Committee: The Student Conduct Committee shall make its findings and determinations in executive session (only members of the Committee present). Separate findings are to be made (1) as to the conduct of the student and (2) on the discipline, if any, to be imposed. No discipline shall be imposed on the student unless a majority of the Committee present is reasonably convinced by the evidence that the student has committed the violation charged and should be disciplined therefor.

h. Official Report of Findings and Determinations: The Committee shall promptly consider the case on the merits and make its findings and determination and transmit them to the Dean of Students or Assistant Dean of Students. The Dean of Students or Assistant Dean of Students shall inform the student charged in writing with the decision of the Committee.

i. Other Procedural Questions: Procedural questions which arise during the hearing not covered by these general rules shall be determined by the Chairman, whose ruling shall be final unless the Chairman shall present the question to the Committee at the request of a member of the Committee, in which event the ruling of the Committee by majority vote shall be final.

6. Record of Hearing: At least a summary record of the proceedings is to be kept either by stenographic notes or a tape recording. The hearing record shall be filed in the office of the Vice President for Student Affairs and only for the purpose of appeal be accessible at reasonable times and places to both the University and the student.

7. Right of Appeal: The student or the Dean of Students or Assistant Dean of Students, with the consent of the student charged, may appeal to the President of the University any decision reached by the Student Conduct Committee by filing written notice of appeal with the President within ten (10) consecutive calendar days after notification of the decision of the Committee. A copy of the Notice of Appeal shall be given by the student to the Dean of Students or Assistant Dean of Students or by the Dean of Students or Assistant Dean of Students to the student.

The President of the University shall review the record of the case and the appeal documents and may affirm, reverse or remand the case for further proceedings and shall notify the Dean of Students or Assistant Dean of Students and the student in writing of his decision on the appeal.

8. Status During Appeal: In cases of suspension or expulsion where Notice of Appeal is filed within the required time, the student may petition the President in writing for permission to attend classes pending final determination of

the appeal. The President may permit a student to continue in school under such conditions as may be designated pending completion of appeal procedures provided such continuance will not seriously disrupt the University or constitute a danger to the health, safety or welfare of the University. In such event, however, any final disciplinary action imposed shall be effective from the date of the action of the Student Conduct Committee.

9. Role of President: The President of the University may review the record of any disciplinary case and may reverse or remand the case for further proceedings. If such action is taken by the President, the Dean of Students or Assistant Dean of Students and the student shall be notified in writing of his decision.

SECTION 7. TRAFFIC HEARING BOARD

1. Purpose: A Hearing Board composed of students shall be appointed to hear appeals from students who wish to contest a ticket received for violation of University traffic and vehicle regulations. The board shall have the authority to render judgment as to the justification of the citation.

2. Composition: The Traffic Hearing Board shall be appointed by the Student Body President, having given due notice to the Student Body of his nominations, and approved by the Student Senate. The Board shall consist of the Chairman and four members. The Chairman shall be classified as junior or above and all other members at least sophomore classification. All members of the Board must have a cumulative grade point average of 2.00 or above and must not have a record of previous disciplinary suspension taken by the University. The Chairman and two other members must be present to constitute a quorum and hear a case. The Chairman shall have the same voting rights as other members of the Board.

3. Procedure and Disposition:

a. Request for Hearing: A student wishing to contest a ticket may request a hearing before The Traffic Hearing Board through the Dean of Students or Assistant Dean of Students. The request must be made in writing within ten (10) calendar days from the date the ticket was issued. Tickets must be paid prior to request for hearing and receipt must accompany written request. A refund will be made if the student is found not guilty of the violation.

b. Notice of Hearing: After receiving the request for hearing, the Dean of Students or Assistant Dean of Students shall contact the Chairman of the Hearing Board and arrange for him to call a meeting of the Board. Written notice by U.S. mail or personal delivery shall be given the student setting forth the date, time and place of the hearing. Notice shall be mailed at least seven (7) consecutive calendar days prior to the hearing, unless a shorter time be fixed by the Chairman for good cause. If the student fails to appear at the scheduled time except for good cause, the Board may hear and determine the matter in his absence.

c. Conduct of Hearing: All Traffic Hearing Board meetings shall be closed to the public. The hearing shall be informal. The Chairman shall preside and conduct the business of the hearing. The student shall have the opportunity to present his side of the case. The Board may question the student at any time. The Board may request information from the Midwestern Police Office with regard to the ticket in question.

d. Determination by Board: The Traffic Hearing Board shall make its findings and determinations in executive session (only members of the Board present). If the student is found not guilty of the violation a refund shall be made of the penalty fee assessed.

e. Official Report of Findings and Determinations: The Board shall promptly consider the case on the merits and make its findings and determination and transmit them to the Dean of Students or Assistant Dean of Students who will inform the student in writing of the decision. If the student is found to be not guilty of the violation, the Dean of Students or Assistant Dean of Students shall notify the Midwestern Police Office in writing of the decision and request a refund to the student of the penalty fee assessed.

4. Record of Hearing: A summary record of each case heard is to be kept and filed in the Student Personnel Office and for the purpose of appeal only be accessible to the Student Conduct Committee.

5. Right of Appeal: The student or the Dean of Students or Assistant Dean of Students, with the consent of the student, may appeal to the Student Conduct Committee the decision reached by The Traffic Hearing Board by filing written notice of appeal with the Vice President for Student Affairs within seven (7) consecutive calendar days after notification of the decision of the Board.

The Vice President for Student Affairs shall call a meeting of the Student Conduct Committee who shall review the case and the appeal documents. The Committee may affirm or reverse the decision of the Board and shall notify in writing the student and the Chairman of The Traffic Hearing Board of their decision. If the student is found to be not guilty of the violation, the Vice President for Student Affairs shall notify the Midwestern Police Office in writing of the decision and request a refund to the student of the penalty fee assessed.

SECTION 8. POLICY ON OFF-CAMPUS SPEAKERS

The Board of Regents of Midwestern University respects the rights of the faculty and the student body of Midwestern University to have full freedom in the discussion and presentation of all information and issues. This includes the right to invite off-campus speakers whose ideas and views differ from those of the Board, its individual members, or the President of Midwestern University. It is the policy of this Board that the facilities of this institution, which were paid for by the tax payers of Texas from their earnings in our society based on law and order, be not made available to any person or persons who by reason of their prior expressions or past actions would likely use the invi-

tation to advocate: lawlessness and disregard for the laws of this country; change in the laws of this country, other than by means provided for within the constitution and the laws of the United States and the various States; and the violent overthrow of our government.

In the case of highly controversial speakers, announcement should be made at least thirty days prior to appearance so that faculty might have the opportunity to discuss issues with the students. Also, no such speaker shall be presented who will not consent to interrogation (not heckling) by students and faculty following their presentation.

Every precaution should be taken to maintain the highest level of excellence and good taste in such matters commensurate with the dignity of an institution of higher education.

SECTION 9. OFFICIAL OUT-OF-TOWN UNIVERSITY TRIPS

When an official out-of-town trip is sponsored by a University Division or Department, faculty or administrator involved will be responsible for all arrangements and supervision.

When student organizations plan an official out-of-town trip, all arrangements must be cleared through the Student Personnel Office.

SECTION 10. RESERVING UNIVERSITY FACILITIES

Requests for all NON-CLASSROOM facilities are made through the Student Personnel Office. Classroom space is secured through the Office of the Registrar.

SECTION 11. UNIVERSITY CALENDAR

1. Master calendar scheduling forms for the University calendar will be sent from the Office of Student Personnel to each department and to each student organization by April 15 for listing proposed activities and for requesting facilities for the following fall and spring semesters. Reservations will be accepted only from departmental chairmen and from student organization presidents.

2. During the period April 15-May 15, the annual, recurring events will receive "priority"....both in being placed on the Master Calendar and in reserving of campus facilities. Examples of these are:

Honors Day	Major Theatre Productions
Student Leadership Conf.	Annual Reading Conf.
Homecoming	Faculty Christmas Dinner
Military Ball	Artist-Lecture Series
Greek Week	Choir & Band Concerts (MU)
Science Fair	Women's Recognition Banquet
Fall Festival	

3. After May 15, activities of this type will be scheduled:

Student Music Recitals	SUB Dance & Film Program
Student Organization Functions	One-Act Student Directed Plays

4. Off campus groups cannot receive confirmation for University facilities until after August 1.

5. If a conflict in scheduling occurs, rescheduling will be resolved in consultation with the groups involved.

SECTION 12. HEALTH SERVICE

The ultimate objective of any Student Health Service is to maintain a state of optimum health, both physical and emotional, among the student body. It is hoped that we can achieve this objective by discovering physical and emotional defects in the early and correctable stage, conserving the student's time from class, and providing that type of fundamental preventive health instruction which will tend to curtail the occurrences of illness requiring long treatment through an undertaking and appreciation of the principles of healthful living.

1. Physical Examination.

a. Each student entering Midwestern University for the first time is required to have a physical examination at the time of initial enrollment. This required physical examination report completed by a legally qualified physician must be on file with the University Nurse prior to the student entering the registration area. (Summer transient students are exempt while maintaining such "special" status, but not upon becoming a regular student.)

b. A service discharge physical is acceptable if received within the past twelve months and a copy filed with the University Nurse.

c. Armed forces officer personnel may utilize their yearly service physical provided a copy is filed with the University Nurse.

d. The University Examination Form must be used for the examination except as outlined in b and c above.

e. The physical examination must include medical proof of the following:

(1) Chest X-Ray within last 12 months.
(2) Required immunizations.
  (a) Diphtheria-Tetanus Toxoid (within 10 years).
  (b) Oral Poliomyelitis (Basic series of all three types since 1962, and at least one booster.)
  (c) History of measles (Rubeola) or active immunization since 1965.
(3) Small Pox vaccination is not required, but is strongly recommended.

f. In those cases where the student's physician requests an excuse from physical activity or R.O.T.C., the physician may use the regular health form and elaborate on the reasons for the excuse. This request for excuse must be filed with the University Nurse each year.

g. Students are urged to have their physical examination made by their family physician since he often has valuable health information which should be a part of their record and is not available from any other source.

2. Services Available.

a. Routine medicines, when ill, not to exceed $10.00 per regular semester and $3.00 per summer term.

b. Physician's services during the sick call period of one and one-half hours each school day, Monday through Friday, during the Fall and Spring semesters, 8:30 a.m. to 10:00 a.m.

c. A maximum of three emergency calls per semester.

d. At the discretion of the University Physician, a student may be referred for professional consultation. The usual and customary consultant's charges up to a maximum allowable of twenty-five ($25.00) dollars, will be paid from Health Service funds upon presentation of a statement of charges. Such referral (office call) is limited to one consultation per calendar year per individual student.

e. Confinement to the infirmary is limited to three days, for any one illness beyond which a charge of $5.00 per day will be in effect.

f. Infirmary is closed when school is not in session.

g. Students are responsible for medical expenses which are not provided for as indicated in the above. Specifically, such personal responsibility extends to charges in excess of the allowable as enumerated in provisions a and d above.

3. Infirmary Hours.

Monday through Friday
Fall & Spring: 8:00 a.m.-5:00 p.m.
(Physicians available 8:30 a.m.-10:00 a.m.)
Summer: 8:00 a.m.-12 Noon
Emergency calls only will be handled during hours other than those stated above. Residence Hall occupants check first with Director or Counselor in emergencies.

4. Medical Excuses from Class.

Medical excuses from class are issued by the University Nurse or Physician under the following conditions:

a. Student has been treated in the Infirmary and illness warrants the granting of an excuse.

b. Student has been treated by a private physician and written statement from the physician provided to the University Nurse; or

c. Student confined to a hospital.

SECTION 13. STUDENT ORGANIZATIONS

While all University recognized student organizations have faculty advisement, general coordination and supervision of Midwestern University's student organizations are a function of Student Personnel through the Office of the Dean of Students. Information regarding present status of all groups, their current officers and membership requirements may be obtained in the Dean of Student's Office.

1. Policies Relating to Student Organizations.

a. Each student organization must complete the Student Organization Roster by October 15th of each year and send the copy to the Assistant Dean of Students. Rosters must be corrected at the beginning of the spring semester each year. A list of the officers for the coming year, or the name and address of a summer contact person must be filed with the Assistant Dean of Students by the end of the spring semester.

b. Each student organization must have campus-related sponsorship: i.e., faculty or staff advisor unless special arrangements are made through the Student Personnel Office. Selection of advisor will be made by the organization.

c. All activities whether held on or off campus must conform to University social regulations. Failure of an organization to conform to University policies will result in disciplinary action and could result in suspension.

d. Each student organization must have either a Constitution or a statement of purpose on file in the Office of Assistant Dean of Students. The statement of purpose must outline membership selection procedure.

2. Procedure for Establishing a New Organization.

a. The Student Organization Roster is submitted to the Assistant Dean of Students. The roster lists proposed members, officers, and advisors. In addition to the roster, a constitution or statement of purpose is to be included.

b. If the organization has national affiliation, information listed in a, above, must include information from the national office. (Constitution, By-laws, and financial as well as supervisory relationship with local Chapter).

c. When preliminary information listed above is obtained, final approval of national organization must be made by the University Administrative Council.

d. Final approval for local organizations will be made by a committee comprised of the Vice President for Student Affairs, Dean of Students, and the Assistant Dean of Students.

e. After University approval of the organization, the President of the new organization is eligible for membership in the Council of Presidents.

3. Eligibility to Hold Office in a Student Organization.

a. Officers of each organization must have a 2.0 cumulative grade average preceding election to the office and must maintain this average while in office.

b. An officer must not be on probation.

SECTION 14. STUDENT ACTIVITIES

1. Registration.

a. All activities of any recognized student Organization must be registered in the Office of the Dean of Students. This registration applies to functions held off campus as well as on campus.

b. Registration Cards (University Calendar Application) are available in the Student Personnel Office and must be completed before an event is registered officially.

c. For convenience of the organization, completion of the Calendar Application accomplishes the following: official registration of facilities and inclusion on the master calendar.

d. Please note that the registration of a social event requires the signature of an advisor.

e. The deadline for registering a social event will be 4 days prior to the event, although organizations are urged to complete this registration earlier.

f. Cancellation of functions and facilities is equally important and should always be made through the Student Personnel Office.

g. Student retreats, sponsored by student organizations, held off campus must be scheduled one month prior to the function. (See number 1 above.)

h. The Student Personnel Office will provide information to student organizations as to duties and responsibilities of chaperons.

2. Chaperons & Security

a. Chaperons are necessary only at those functions where security police are not required.

b. Chaperons must be approved by the Student Personnel Office and must be present at all times during the social event.

c. Chaperons are special guests of the organization. Extending an invitation to chaperons well in advance of the function is a mark of thoughtfulness and courtesy.

d. At on campus dances that are invitational and involve only one (1) organization, no security officer is required;

On campus invitational dances involving more than one (1) organization, or an all school (MU students only) dance, one (1) security officer is required;

On campus dances open to non-students, two (2) security officers are required: 1st hour-one (1) officer; 2nd hour until close of dance-two (2) officers; and from close of dance until band leaves-one (1) officer.

3. Dress and Conduct.

a. Those attending student activities are requested to use good judgment about their dress, exercising good taste at all times.

b. Conduct at student activities shall be the responsibility of the sponsoring group.

4. Beverages: No alcoholic beverages are permitted at on campus functions sponsored by University student organizations.

5. General.

a. Sponsoring organizations are invited to discuss plans for student activities with the staff in the Student Personnel Office.

b. Attendance at events sponsored by Midwestern University students is restricted to Midwestern University students, faculty, staff, and guests of the sponsoring organization unless other groups are approved by the Student Personnel Office.

SECTION 15. RESIDENCE HALLS AND FOOD SERVICE

1. General Statement: Residence Halls are a vital part of the total Midwestern campus community and are intended to implement the educational purposes

through providing an atmosphere conducive to meeting the academic, social, and personal needs of students.

Housing regulations require that all unmarried students under twenty-one years of age live in University Residence Halls.

The requirements may not apply when a student:

a. Lives with parents or relatives;

b. Enrolls as a part-time student (6 hours or less long term; 3 hours or less summer term);

c. Is enrolled for evening courses only.

2. Room and Board Rates: Room and board charges may be paid in full at the beginning of the semester or in four equal payments in accordance with a pre-determined schedule for each semester. The penalty for late payment is $5.00. First payment is due at the time of registration.

3. Meal Plan: The price for board represents tickets redeemable for food and beverage items in the Cafeteria and Snack Bar during tne period covered by the tickets. The tickets are issued at each of the four payment dates in accordance with a pre-determined schedule for each semester.

4. Residence Hall Reservations and Room Deposits: Residence Hall reservations will be made in the Office of Student Personnel. A check in the amount of $20.00 payable to Midwestern University, must accompany the request. This will serve as both reservation fee and residence property deposit. It will be refunded, less any property breakage charges, at the end of the school year. If a student moves from the Residence Hall during the semester, the $20.00 deposit will NOT be refunded.

5. Room Deposit and Refund Policy.

a. August 1 (fall semester), December 15 (spring semester), May 15 (first summer term), and June 30 (second summer term), are the dates beyond which the $20.00 room reservation deposit is not refundable unless the semester is completed. Students who do not re-enroll for spring semester may have deposits refunded up to three days before registration.

b. If a student officially withdraws from the University, room and board refunds will be made only after the student has cleared through the Student Personnel Office. The refund will be made by the Business Office. Refunds to students not withdrawing from the University, but moving from the residence hall during the semester, will be for only those amounts paid for periods subsequent to the pay period in which he moves from the residence hall. Refunds for board will be made only upon presentation of meal tickets.

6. Residence Hall Directors and Student Counselors: Each resident student is under the direct supervision of a Residence Hall Director. In addition, supervision is delegated by the Director to the Student Counselors at such time and in such matters as the Director deems appropriate. While the Counselors are students, they are, as in the case of the Directors, employees of the University. The Director and Counselors are responsible for personal and social counseling, and in addition, for interpreting and administering University policies in the Residence Hall.

7. Guests: All arrangements for overnight guests in the Residence Hall must be made with the Residence Hall Director and should be made as far in advance as possible. Guests must observe House regulations and are under the supervision of the Residence Hall Director. It is the student's responsibility to introduce overnight guests to the Director upon arrival and to register the guests. Fees are paid to the Director. When guest rooms are available, a fee of $2.50 per night will be charged if guest furnishes linens; $3.50 if linens are furnished by the University.

Visitors are permitted in the lounges of Residence Halls as scheduled below:

Monday thru Thursday.....10:00 a.m. to 10:45 p.m.
Friday and Saturday.....10:00 a.m. to 12:15 a.m.
Sunday..... 9:30 a.m. to 10:45 p.m.

Guests of the opposite sex will be welcome at other times in non-lounge areas when so designated by the Student Personnel Office.

8. Additional Residence Policies Relating to Women; Women's residence halls are locked at 12:00 p.m. each night. First semester freshmen only have curfew and their hours are as follows: Sunday through Thursday, 12:00 midnight, Friday and Saturday, 2:00 a.m. All other students are on self-determined hours. If a student does not plan to return by the time the dorm opens (7:00 a.m.) she must sign out for overnight.

SECTION 16. STUDENT SERVICE FEE

The Board of Regents of Midwestern University are authorized to charge and collect from students fees to cover the cost of student services which it deems necessary or desirable in carrying out the educational functions of Midwestern University as determined by the Board of Regents. Student services shall mean and include such services as recreational facilities, health and hospital services, intramural and intercollegiate athletics, artist lecture series, cultural entertainment series, debating and oratorical activities, student publications, student government, and any other student activities and services specifically authorized and approved by the Board of Regents.

Fees are allocated by a student allocation board under the supervision of the Student Personnel Office and the Office of Business Affairs.

Further details on specific benefits may be obtained in the Office of Student Personnel.

SECTION 17. RELIGIOUS LIFE

The University is nonsectarian. Its administrative and academic policies, however, are designed to create an awareness of the Supreme Being and to encourage the student to affiliate with the religious organization of his choice and to participate in the religious activities sponsored by campus groups. Several denomination-affiliated student religious organizations exist on the campus, hold regular meetings and worship services, and sponsor programs and activities of a spiritual character.

SECTION 18. FINANCIAL AID

Complete information regarding loans, grants, scholarships and student employment may be obtained from the Financial Aids Office, Hardin Administration Building.

1. Short Term Loans: (To be repaid during the semester in which they are borrowed.)

a. Tuition and Fee Loans. Not available to entering freshmen. Second semester freshmen (12 or more hours) or above classification must have a minimum "C" cumulative grade point average and must not be on any type of probation. This is the only type of loan available on registration days. These loans cover up to 75% of tuition and fees, but may not exceed $250.00. Payments may be scheduled during the semester in which the money is borrowed but would become fully payable on demand or at the time of early withdrawal. There is a late charge for all payments not made as scheduled.

b. Personal Loans. Not to exceed $75.00 to cover school related needs only. Not available to students with less than 12 hours credit. Student must have a minimum "C" cumulative grade point average and must not be on any type of probation. Payable as scheduled at the time of borrowing or upon demand or early withdrawal, whichever comes first. There is a late charge on all payments not made as scheduled.

2. Long Term Loans: (Payment begins after student ceases to carry at least one-half full time course load.)

Application deadlines are: Fall semester or fall and spring semesters together - July 1; spring semester only - November 1; summer session - March 1.

The following long-term loans and grants are available at Midwestern University. You may obtain more complete information from the Financial Aids Office: Texas Opportunity Plan: National Defense Student Loan: Educational Opportunity Grant: Nursing Student Grant: and LEEP Grant (Law Enforcement Education Program.)

3. Scholarships and Grant-In-Aid: The deadline for filing Scholarship and Grants-In-Aid applications for the following academic year is April 1.

Both academic performance and demonstrated need are considered in awarding scholarships and grants-in-aid.

A limited number of such scholarships and grants-in-aid are available in amounts from $50 to $450 per semester. When such funds are controlled by and administered by Midwestern University and the donee is selected by Midwestern University, the final selection is made by the Financial Aids Committee and the Director of Financial Aids. When such funds are not administered by

Midwestern University and Midwestern does not select the recipient, the donor handles the funds directly with the recipient in a manner of the donor's choice.

4. Student Employment: Students enrolled for at least nine hours (undergraduate) or six hours (graduate) during the regular semesters or three hours during a summer term, and who have at least a "C" cumulative grade point average and not on probation or advised admission, are eligible for referral to on-campus and off-campus jobs.

Interested and eligible students should check the Financial Aids Bulletin Board in Clark Student Center for job openings. If a job is available in which the student is interested and qualified, he should contact the Financial Aids Office for further details regarding the specific job.

5. Vocational Rehabilitation: Grants up to full tuition and all non-refundable fees are provided for the physically handicapped through the Texas Rehabilitation Commission, 710 Brook Street, Wichita Falls, Texas.

SECTION 13. STUDENT INFORMATION BY PHONE

The only information to be released by phone on students at Midwestern University will be the current status of the student as to enrollment, current address registered with the University, and classification of student.

PART V

POLICIES AND PROCEDURES FOR BUSINESS AFFAIRS

SECTION 1. FISCAL YEAR

Period Covered. The fiscal year begins with the first day of September of each year and ends on the thirty-first day of the following August as provided by law.

SECTION 2. BUDGETS

1. Annual Operating Budget.

a. Preparation and Approval. It shall be the responsibility of the Vice President for Business Affairs to prepare an annual operating budget in cooperation with Department Heads, Deans, and the other Vice Presidents. The Budget shall be approved by the President and by the Board of Regents. A copy of the approved budget shall be filed with the Legislative Reference Library. It shall reflect estimates of income, by source, and authorizations for expenditures, by budgetary unit, for current operations. Budgeted expenditure authorizations shall be listed by object classifications within each budgetary unit as follows: (1) Salaries, (2) Student Assistants, (3) Travel, (4) Maintenance and Operating Expense, (5) Capital Outlay (equipment). Individual positions shall be listed within the "Salaries" classification and shall reflect: (1) Name (where the position is filled), (2) Title, (3) Number of Months of Employment, (4) Prior Year Salary Rate, (5) Current Year Salary Amount. Budgets shall be prepared within the limits of the revenue available from Legislative Appropriations and estimated local and other funds.

b. Adjustments. All departments are required to operate within their approved budgets. In cases of emergencies, where it is necessary to change the funds authorized by the approved budget, the budget head concerned must submit, in advance of any commitments, through the Business Office, a budget change request for transfers between object classifications within the budgetary unit or a request for a supplement to the approved budget. The request should include a complete explanation of the necessity for a budget change. Forms are available in the Business Office. The final date for submission of budget transfers for the fiscal year is July 31.

2. Legislative Budget Request. It shall be the responsibility of the Vice President for Business Affairs to prepare a request for legislative appropriations at such times as the state budget offices shall designate and in the form prescribed by the Coordinating Board, State College and University System. The amounts requested in the various elements of institutional expense shall be those amounts approved by the President and the Board of Regents after consideration has been given to the recommendations of Department Heads, Deans, and the other Vice Presidents. Those amounts which are produced by the formulas will normally be requested where formulas have been designated by the Coordinating Board, State College and University System. The President or his delegate shall represent Midwestern University at budget hearings scheduled by the various state officials.

3. Miscellaneous Budget Items.

a. Interpretation of Estimates. In the event the amounts of Federal funds, local funds, or funds other than appropriations from the General Revenue Fund, have been estimated in this Act in sums greater than are actually received by the respective agencies of the State, this Act shall not be construed as

appropriating additional funds from General Revenue to make up such differences. Wherever the language of this Act appropriates all receipts and balances from a specified source but uses an estimated amount to inform the Legislature and the public, the estimated figure is not to be construed as a limitation on the amount appropriated.

b. Transfer Provisions. With the approval of the respective governing board, transfers may be made between the items of appropriations for the general academic institutions regardless of whether said appropriation items are General Revenue or local funds in character, except for such appropriation items as are designated "nontransferable" and with the additional exceptions specified below:

(1) Transfers may not be made into the appropriation item setting the salary rate for the president or for any other line-item salary shown.

(2) Transfers into the appropriation item for "All Other General Administration" may not exceed the amount reimbursed for indirect expenses under government research contracts, contracts for private research and interagency agreements.

c. Dormant Accounts. As provided in Article 4344a, V.C.S., the State Comptroller shall, with the consent of the State Auditor and the State Treasurer, transfer the balances in any dormant account to the General Revenue Fund.

d. Cooperation For The General Welfare. The executive departments and agencies of the State, when requested by the Governor, are authorized to transfer and to use available moneys appropriated in this Act for the purpose of rendering all practical assistance to the Governor or to State Departments and Agencies designated by him in making surveys and investigations and taking necessary action resulting therefrom, in the public interest; or for such other purposes as will aid the economic growth and general welfare of the State; and for civil defense and disaster relief functions as authorized by State law.

e. Transfers For Civil Defense. In the event of a war attack upon the United States or a proclamation by the President that national safety is in danger, and in order to permit the diversion of sufficient moneys appropriated otherwise in this Act for meeting the emergency needs for citizens of this State resulting from such attack or danger, the Governor is hereby authorized to transfer moneys from any part of unobligated balances in any item or items appropriated by this Act for capital outlay, equipment, and new construction, to the appropriation account for the civil defense and disaster relief program of this State.

Such transfers shall be made by the State Comptroller upon the Governor's authorization, after notification to the State agency or agencies affected by such transfer.

The amounts of any such transfers, the name of the agency or agencies from which such appropriation transfers were made, and the objects and purposes for which such transferred amounts were expended in the civil defense and disaster relief program, are to be detailed in the Governor's message to the next session of the Legislature.

SECTION 3. ACCOUNTING SYSTEM AND FINANCIAL RECORDS

1. Accounting Records. The accounting records shall be kept in accordance with the recommendations of the National Committee on the Preparation of a Manual of College and University Business Administration published by the American Council on Education with a copyright date of 1968.

2. Audits. None of the appropriations herein made shall be used to employ any firm or person to audit the books of any department, board, commission, institution or State agency, this being the duty of the State Auditor; provided, however, that in any instances where the funds available to said State Auditor are not, in his judgment, sufficient for any requested or contemplated audit, the department head or heads having authority to disburse the appropriations herein made are hereby authorized to direct the State Comptroller to transfer from any appropriations to the appropriation herein made for the State Auditor the amount which in the judgment of the State Auditor is necessary for the purpose of making such audit.

Any amount so transferred to the State Auditor shall be used by him for the actual costs of the specified audit, and any balances of such funds remaining at the end of any fiscal year are hereby appropriated to the State Auditor for the purpose of completing the audit or audits for which the funds were transferred. On the completion of any such audits any excess funds remaining shall be transferred by the State Auditor back to the department, board, commission, institution or agency from which transferred.

The provisions of this section notwithstanding, supplemental audits of funds received from the United States Government by agencies of the State named in this Act, which are required as a condition of the receipt of such funds, may be made in addition to the auditing performed by the State Auditor when funds for such purpose are provided by the Federal grant, allocation, aid or payment.

3. Minutes of Board Meetings. a. The appropriations made in this Act are contingent upon adherence to the following procedure: in order that the Governor and the Legislature may be more adequately informed about the disposition and use of appropriations authorized from all funds, the governing bodies of the institutions, schools, and agencies of the executive branch of the government shall, upon request by the Governor or the Legislative Budget Board, cause to be filed with the Governor or the Legislative Budget Board, immediately upon transcription, certified copies of the minutes of board meetings. Any changes or subsequent corrections of minutes filed with the Governor and the Legislative Budget Board shall be similarly filed.

b. In addition, the appropriations to the agencies and systems of higher education in this Act are made contingent upon the filing, by said agencies and systems, of additional copies of minutes of board meetings and copies of budget requests with the Legislative Reference Librarian in the same manner as prescribed in the paragraph immediately above.

4. Financial Reports. The Business Office will prepare monthly and annual financial reports in accordance with the established procedures for Texas Colleges and Universities.

SECTION 4. CASH RECEIPTS AND DEPOSITS

1. Receipts. An official receipt must be issued for each payment of fees or other charges, and for each cash sale. These receipts must be issued by the employee collecting the fees, charges, or making an authorized cash sale. All cash registers used for recording sales must be equipped to issue numbered sales tickets showing the amount of the sale, unless otherwise authorized in advance by the Auditor. Departments not using cash registers to record cash sales will use pre-numbered cash sales tickets or cash sales receipts approved by the Auditor as to form. All cash sales tickets and cash sales receipts issued (except cash register tickets and admission tickets) must show the name of the purchaser and an itemization of the sale, including quantity, unit price, and total. Receipts for rent must show the space occupied. All receipts for student fees and other charges must be approved by the Auditor as to form. All such receipts, when issued, must show the name of the student and be itemized. All admission tickets must be pre-numbered and approved by the Auditor as to form. All cash sales receipts, cash sales tickets, admission tickets, and student fee receipts must be properly accounted for. All cancelled receipts and tickets must be transmitted to the Business Office.

2. Deposits. All fees and other charges collected, proceeds of cash sales, and all cash received from other sources must be deposited promptly in the Business Office, there is no authority for any department to use fees or other charges collected or proceeds of cash sales for any purpose whatsoever, other than deposit them in the Business Office.

All cash receipts from all sources shall be deposited daily by the Business Office in a local depository. Not less than every seven (7) days, remittances shall be made to the State Treasurer of all Educational and General Receipts.

Working funds for making change and other purposes will be established only with the approval of the Vice President for Business Affairs. They must be used only for the official business for which they were established. Under no circumstances will they be used to cash personal checks or for any other personal business or purpose.

3. Local Income from Educational Activities. The Governing board of each of the general academic teaching institutions specified in this Article shall deposit in the State Treasury all cash receipts from all sources except auxiliary enterprises, non-instructional services, matriculation fees collected in lieu of student activity fees, agency and restricted funds, endowment funds, student loan funds, and Constitutional College Building Amendment funds.

4. Acceptance of Gifts of Money. All bequests and gifts of money to State agencies named in this Act are hereby appropriated to the agency designated by the grantor and for such purposes as the grantor may specify.

5. Federal Funds Appropriated for Use. All funds received from the United States Government by agencies named in this Act are hereby appropriated to such agencies for the purposes for which the Federal grant, allocation, aid or payment was made, subject to the provisions of this Act. Within thirty (30) days after the receipt of such funds, the agency receiving same shall file a report with the Governor and the Legislative Budget Board setting out the following: the Federal Act or authority under which the funds were received, the amounts thereof, a detailed breakdown of proposed expenditure of the funds, and the geographical distribution of the funds by county. Upon certification by the receiving agency that such report has been filed, the Comptroller shall approve expenditures of such funds.

6. Prohibition on Use of Federal Shared Revenues as Matching Funds. None of the funds appropriated from Federal Revenue Sharing Fund No. 448 in this Act shall be obligated, encumbered or expended in violation of Subsection (a) of Section 104 of Title I of Public Law 92-512, the State and Local Fiscal Assistance Act of 1972.

7. Depository Accounts.

a. Local Depositories. The governing boards of the respective institutions for which appropriations are made in this Article are hereby authorized to select depository banks for the safekeeping of local funds other than those specified in the Section, "Local Income from Educational Activities," of this Article. The board shall require said depository banks to furnish adequate surety bonds or securities to be posted for the assurance of safety of such deposits. The depository bank or banks so selected are hereby authorized to pledge their securities for assurance of safety for such funds. All such local funds shall be deposited in these depositories within seven (7) days from date of collection. The governing boards may require the depository so designated and selected to pay interest on deposits at a rate to be agreed upon by said depositories and said boards.

(Borrowing Money. It is hereby declared the legislative intent that the governing boards and heads of the several State institutions of higher learning shall not borrow money from any person, firm or corporation to be repaid out of local funds, other than as specifically authorized by legislative enactment.)

b. Clearing Account. The State Comptroller and the State Treasurer are to credit such receipts deposited by each such institution to a separate fund account for the institution depositing the receipts. For the purpose of facilitating the transferring of such institutional receipts to the State Treasury, each institution may open in a local depository bank a clearing account to which it shall deposit daily all such receipts, and shall, not less than every seven (7) days make remittances therefrom to the State Treasurer of all except five hundred dollars ($500) of the total balance in said account, such remittances to be in the form of checks drawn on the clearing account by the duly authorized officers of the institution, and no disbursements other than remittances to the State Treasury shall be made from such clearing account. All moneys so deposited in the State Treasury shall be paid out on warrants drawn by the Comptroller of Public Accounts, as is now provided by law.

c. At their option, the institutions may use their local depository bank account in lieu of the special clearing account, provided that the general

requirements as set out in the above paragraphs, for deposits and transfers to the State Treasury, are complied with.

d. All the funds deposited by each college or university as above provided are hereby appropriated to the respective institutions to be expended as provided in this Article. In the event the amount of local receipts deposited in a fiscal year be less than the amount of said Estimated Other Educational and General Funds for each institution, this Act shall not be construed as appropriating additional funds from General Revenue to make up such differences.

e. Revolving Fund. Each institution affected by this Section, at its option, is hereby authorized to maintain a revolving fund to facilitate the payment of nominal expenses and to pay bills within cash discount periods. The institutions may use the revolving fund for regular monthly payrolls as well as for weekly and special payrolls. Disbursements from the revolving funds are to be reimbursed from respective appropriations made herein, the State Comptroller being hereby authorized to make such reimbursements on claims filed with him by the institutions under his regularly prescribed procedures except that one voucher and one warrant may cover any number of claims for this purpose. These reimbursement claims shall meet the same requirements as other claims against State appropriations, and each institution shall prepare such a reimbursement claim as at the close of business on the last day of each month and as many times during the month as may be expedient in order to make unnecessary the maintaining of an unreasonably large revolving fund.

f. The respective governing board shall determine the amounts of the revolving funds to be set up for each institution, and may increase or decrease the amounts if necessary. Such governing board shall designate a depository bank for each revolving fund, and shall specify the officers and/or employees to sign checks drawn on each such fund. The depository bank for each revolving fund shall be required to secure the deposit as provided by law.

8. Reimbursements and Payments. Any reimbursements received by an agency of the State for authorized services rendered to any other agency of the State Government, and any payments to an agency of the State Government made in settlement of a claim for damages, are hereby appropriated to the agency of the State receiving such reimbursements and payments for use during the fiscal year in which they are received.

The reimbursements and payments received shall be credited by the Comptroller to the agency's current appropriation items or accounts from which the expenditures of like character were originally made, or in the case of damage

settlements to the appropriation items or accounts from which repairs or replacements are made; provided, however, that any refund of less than Fifty Dollars ($50) to an institution of higher education for postage, telephone service, returned books and materials, cylinder and container deposits, insurance premiums and like items, shall be deposited to the current fund account of the institution in the State Treasury and such funds are hereby reappropriated.

9. Safe Combinations. Combinations of all safes and vaults shall be filed with the Auditor in sealed envelopes, clearly identified by department.

SECTION 5. PURCHASES

1. Authority to Obligate Funds. Except for contracts signed by the President and Board of Regents, the Business Office, under the direction of its head or designated representative, has sole authority to obligate the funds of the University for purchases of supplies and equipment, except where otherwise authorized in writing and in advance by the President or the Board of Regents. The University will assume no liability for payment of obligations which might have been made in any other manner or by any other person. IF ANY DEPARTMENT HEAD OR ANY OTHER STAFF OR FACULTY MEMBER MAKES A CONTRACT FOR SUPPLIES, EQUIPMENT AND/OR SERVICES WITHOUT A PURCHASE ORDER FROM THE BUSINESS OFFICE, HE MAY BE HELD PERSONALLY RESPONSIBLE FOR CLEARING THE ACCOUNT WITH THE VENDOR.

2. Excess Obligations Prohibited. No department or agency specified in this Act shall incur an obligation in excess of the amounts appropriated to it for the respective objects or purposes named. In the event this provision is violated, the State Auditor shall certify the fact and the amount of over-obligation to the Comptroller, and the Comptroller shall deduct an amount or amounts equivalent to such over-obligation from the salary or other compensation due the responsible disbursing or requisitioning officer or employee, and apply on the payment of the obligation. This provision is specified pursuant to Section 10, Article XVI, of the Constitution of Texas.

3. Supplies and Equipment. All purchases of supplies and equipment shall be made through the Purchasing Agent under the direction of the Auditor. The Purchasing Agent will make purchases through the State Board of Control, with the exception of perishables, purchases to be paid from Federal Funds, gifts and grants or Auxiliary Enterprises, which may be made direct if such action appears in the best interest of Midwestern University. Competitive bids shall be secured for all purchases not made through the State Board of Control. The State Board of Control issues certain "Books of Awards" covering state contracts for a major portion of the supplies needed by departments. These books may be examined in the Purchasing Office by budget heads.

4. Requisitions for Supplies and Equipment. Requisitions for purchases of supplies, equipment, and for services incidental thereto, including repairs to building and equipment, must be submitted by the department chairman concerned to the appropriate dean and to the Purchasing Office on official requisition forms. Individuals concerned shall render all assistance possible to the Purchasing Office in securing technical, scientific and special items, and shall place the names of possible or preferred suppliers and/or manufacturers on requisitions for such items. All requisitions must show an estimated cost. The Purchasing Office will furnish a copy of each purchase order to the department chairman concerned. All cancellation of orders must be made in writing through the Business Office.

Emergency purchases may be made with the approval of the Vice President for Business Affairs, upon the completion of forms to substantiate the emergency. Details for such cases may be obtained from the Purchasing Agent.

5. Orders to the Physical Plant.

a. No materials will be furnished departments for instructional use unless a properly completed requisition listing the materials and their estimated cost has been approved by the Purchasing Agent following encumbrance of the estimated amount of the requisition.

b. Departments requesting construction of bookcases, tables, and other items of departmental expense will submit requisitions reflecting the estimated cost as previously determined by the Physical Plant Department to the Vice President for Business Affairs for approval following encumbrance of the estimated amount of the requisition.

c. The order number on the approved requisition forwarded to the Physical Plant Department will be reflected prominently on all job sheets and departmental bills submitted to the Business Office.

d. The original requisition will be attached to the departmental bill along with the original and one "Xerox" copy of the job sheet at the time it is submitted to the Business Office. The white copy of the departmental bill with job sheet copies attached will be mailed to the department being charged.

6. Interdepartmental Transactions. No department shall furnish material or services to any other department of Midwestern without approval by the Business Office, except for normal purchases from the bookstore, supply and print bureau, post office, and telephone service.

7. Correspondence and Other Contacts with State Board of Control and Vendors. All correspondence and telephone contacts with the State Board of Control and with vendors relating to requisitions, bids, purchase orders, contracts and similar business shall be handled by the Business Office unless otherwise authorized in advance by the Vice President for Business Affairs.

8. Purchasing Ethics. Where competition is possible, all qualified bidders on record shall have an equal opportunity to submit bids on a uniform and specified basis. No bidder shall receive special consideration or be allowed to revise a bid after having received information from other bids. The Vice President for Business Affairs and members of his staff shall refrain from any relationships which give any bidder an advantage, and shall accept no gratuities or, in any manner, obligate one's self to any representatives of concerns seeking business.

9. Office Furniture. Guidelines have been established with regard to furniture, equipment, and improvements in faculty offices. These guidelines are available from the Purchasing Office.

10. Purchasing Deadlines. The following final submission dates shall be in effect each fiscal year:

State Board of Control Open Market Purchases	July 1
State Board of Control Contract Purchases	August 10
Departmental Transfers	August 20

All orders or departmental transfers received after the respective deadline will be charged against the following years budgets.

11. Receiving Reports. A Receiving Report must be submitted by the ordering department no later than twenty-four (24) hours after receipt of merchandise. If there are any damages, shortages or other irregularities, this should be noted on the face of the report.

The following information must be clearly stated:

a. Quantity Received.
b. Date Received.
c. Condition.
d. Signature of the Budgetary Unit Head.

By a department's failure to promptly supply the Purchasing Office with a Receiving Report, payment is delayed to the vendor, cash discounts are lost and the department places the University and the State in the defenseless position of being delinquent in paying its bills.

The Budgetary Unit Head will be held responsible for any difficulties arising from his failure to promptly supply a correctly prepared Receiving Report to the Purchasing Office.

12. Special Expenditure Provisions and Restrictions.

a. Acquisition of Property. In order to conserve the moneys appropriated by this Act, the Board of Control, and the governing boards of the State institutions of higher learning either acting directly or through the Board of Control or through any other State agency in behalf of their respective institutions, are hereby authorized to negotiate purchases of commodities and supplies of any kind or character whatsoever needed by any State agency with the duly authorized agencies of the Federal Government. However, any such commodities or supplies so purchased shall be obtained at a price not to exceed the prevailing market value thereof, and if there be no market value then at the real or intrinsic value.

It is further provided that only for the purposes of the expenditures authorized in the preceding paragraph, the Board of Control and the governing boards of the State institutions of higher learning may waive the requirement of bidder's bond and performance bonds, otherwise required in negotiating such purchases with the duly authorized representatives of the Federal Government.

Except as specifically authorized to do so by existing statutes, none of the agencies for which appropriations are made in this Act shall accept the donation of real property or expend any of the moneys appropriated herein for the purchase of real property without the expressed permission and authori-

zation of the Legislature. It is further provided that the institutions of higher education are specifically authorized to accept gifts or devises of real property from private sources for the establishment of scholarships, professorships, or other trusts for educational purposes, provided such property will not hereafter require appropriations by the Legislature for operation, maintenance, repair, or the construction of buildings.

b. Publicity of Individuals Restricted. None of the moneys appropraited shall be used by any agency of the State Government for the purpose of publicizing or directing attention to any individual official or employee of any agency of the State Government.

It is also provided that none of the moneys appropriated shall be used by any agency of the State Government for maintaining any publicity office or department, or for the employment of any person who has the title or the duties of a public relations agent, or press agent, or for paying any public relations firm or agent.

The policy and restrictions set out in this Section shall not be interpreted to prevent the head of any agency of the State, when he deems it necessary or desirable in the public interest, to issue through any of such agency's officials or employees any statement or information respecting the work, legal responsibilities, or activities of such agency. Such statement shall be issued, or such information imparted, in the name of the agency of the State but shall be issued under or have attached thereto the name of the official or employee authorized to issue the same.

It is also provided that any agency of higher education may continue to maintain and operate a news and information service for the benefit of the public which has been specifically authorized and approved by the governing board of such agency of higher education.

c. Restriction on Executive Typewriters. None of the moneys appropriated herein may be expended for the purchase or rental of executive and/or proportional spacing typewriters, unless the head of the department makes an affidavit attached to the requisition for the purchase that the use of such typewriter shall be more economical than purchasing printed matter and such typewriter shall be in continuous use for at least six (6) hours a day.

d. Rented Machines and Equipment. None of the moneys appropriated shall be used for the rental of any equipment which exceeds a rental cost of $1,000 per year (except for data processing equipment) without having the prior written approval of the Governor. Such approval shall be required before the

request is processed by the Board of Control, and the State Comptroller or any local disbursing officer shall not issue warrants or checks in payment of equipment rentals without such prior approval. None of the moneys appropriated by this Act shall be paid to any seller who delivers any used or rented equipment in fulfillment of an order for new equipment, even though said equipment has been used by the agency placing the order.

It is further provided that none of the moneys appropriated may be expended for the purchase or rental of electronic tabulating or data processing equipment without the advance written approval of the Governor therefor. It is the expressed intent of the Legislature that existing tabulating and data processing installations of the State Government shall be efficiently utilized through interagency agreements with State departments and agencies needing such services, prior to the expenditure of public funds for separate and additional installations of such equipment.

e. Embossed or Engraved Printing. None of the moneys appropriated shall be used for the purchase of embossed or engraved printing and stationery, except for the offices of the Governor, Lieutenant Governor, Speaker of the House, for Members of the Legislature, Attorney General, Secretary of State, and for degrees or diplomas awarded by agencies of higher education.

f. Purchases of Postage. None of the moneys appropriated shall be expended for postage stamps or post office box rent except on vouchers made payable to a United States Post Office, and the warrant or check shall be endorsed by the Postmaster from whom the purchase is made.

If the expenditures for postage by any agency, other than the Legislature or an agency of higher education, exceed Twenty-Five Hundred Dollars ($2500) for the fiscal year, such agency shall install a postage meter machine and have all purchases of postage recorded on that postage meter machine, excepting purchases of stamps for field offices or traveling employees. The installation cost and rental of the postage meter machine shall be paid from appropriations itemized in this Act for general operating, current or recurring operating expense, other operating, maintenance, miscellaneous, or contingent expenses.

g. Police Equipment. None of the funds herein appropriated may be used for the purchase, rental or contractual agreement for any type of electronic, mechanical or other interception devices used for the purpose of overhearing or recording oral conversation made in private or conversation made by wire without prior approval of the Governor.

h. Unlisted Telephone Numbers Prohibited. None of the funds appropriated shall be expended by any State agency, official or employee thereof, for the payment of rental or toll charges on telephones for which numbers are not listed or available from "Information Operator" at telephone exchanges.

i. Recruitment of Students. Appropriations herein made and authorized from the General Revenue Fund or from local institutional funds may be expended for travel expenses incurred within the boundaries of the State of Texas for the purpose of direct recruitment of students. Within sixty (60) days after the beginning of each semester each institution named in this Article shall file with the Governor's Office, the Legislative Budget Board and the State Auditor a report showing the amount of funds expended and the locations visited by each individual during the previous semester or summer session for the purpose of recruiting students.

j. President's Homes. No funds appropriated may be used for the purpose of constructing a home for a president of any of the general academic teaching institutions named herein, without obtaining the approval of the Governor prior to obligating any funds for this purpose; provided, however, that copies of such requests for the Governor's approval, and notice of the Governor's action on such requests, shall be filed with the Legislative Budget Board.

k. Television Stations Prohibited. None of the moneys appropriated may be expended for the acquisition, construction or operation of television transmitter stations; provided, however, this prohibition shall not be construed so as to prevent the medical schools, dental school, general academic institutions or other agencies of higher education named in this Article from using closed-circuit television for purely instructional purposes, or to prevent general academic teaching institutions with existing transmitter stations to use same for educational purposes, or to prevent the continuance of operating arrangements with existing transmitter stations for purely educational purposes.

l. Use of Educational and General Funds for Alumni Activities Prohibited. None of the funds appropriated may be expended by State agencies of higher education for the support or maintenance of alumni organizations or activities.

m. Absence From The State. None of the moneys appropriated may be expended for the salary of any officer or employee who is absent from the State and not on official State business for more than 30 days during any single fiscal year.

n. Use of Alcoholic Beverages. None of the moneys appropriated shall be used for the payment of salaries to any employee who uses alcoholic beverages while on active duty. None of the funds appropriated under this Act for travel expenses may be expended for alcoholic beverages.

o. Insurance. It is the intent of the Legislature that Texas institutions of higher education spend no funds, either appropriated or unappropriated, for the purpose of purchasing insurance covering claims arising under the Texas Tort Claims Act.

p. Prohibition Against Additional Museums. None of the moneys appropriated, except bequests and gifts, shall be used for establishing additional museums or for the maintenance and operation of museums unless the language of this Act or of other acts and resolutions of the Legislature specifically authorizes such use of appropriated funds.

q. Vocational Teacher Training. Programs of vocational teacher training shall be operated in accordance with plans approved by the State Board for Vocational Education. Expenditures under such approved plans shall be subject to the same laws and legal precedents that apply to other expenditures of public moneys, and the Comptroller of Public Accounts is prohibited from paying claims which do not meet the restrictions above. No funds appropriated to the State Agencies of higher education shall be expended for the supervision of, or giving on-the-job training to, vocational teachers employed by local school boards. The State Board of Education may enter into agreement with the governing boards of the general academic teaching institutions having vocational teacher training departments, authorizing such institutions to utilize the public schools in providing practice teacher training for college undergraduate vocational students.

r. Athletic Departments. The governing boards of the respective institutions of higher education shall make such necessary rules and adjustments as may be deemed advisable for the management and operation of such departments; however, no funds under control of an athletic department may be used to purchase alcoholic beverages.

s. Moving Expenses. Departments and agencies in Articles I through IV are authorized to pay costs of transporting and delivering only in State-owned equipment the household goods and effects of employees transferred by the named departments from one permanent station to another, when in the judgment of the department, the best interest of the State will be served by such transfer.

It is further provided that in the event State-owned equipment is not available, and to avoid imposing the hardship of an employee working in one location while his family and personal belongings are located elsewhere, the above authority may be extended to include the use of a commercial transportation company for the moving of the employees' household goods and other personal effects. Such State agencies may not utilize State funds for such purposes except upon presentation by the officer or employee of a bona fide receipt of payment for services rendered from a commercial transportation company.

State agencies using funds appropriated in this Act to move the household goods or personal effects of officials or employees transferred by official order to new permanent duty stations at State expense, shall file a report of such moves with the Legislative Budget Board by November 1 of the fiscal year. Such report is to cover the preceding fiscal year and include the number of such official transfers made, the employees' names and position titles, distances involved, and the detail of all expenditures for such transfers. It is specifically provided that the authority granted by this section shall not extend to new employees.

t. Passenger Vehicles. (1) None of the moneys appropriated in this Act may be expended for the purchase, maintenance or operation of a passenger car or of airplanes designed for passenger transportation unless authority to do so is stated by the language of this Act. (Where an agency has authority to operate aircraft such agency shall file a report with the Legislative Budget Board on or before the close of each fiscal year setting out the following: aircraft description, date purchased or leased, cost, hours flown, number of flights, number of passengers and operating costs.)

(2) Only the following passenger-carrying vehicles are exempt from the restrictions on purchase, maintenance, and operation specified in this Section: panel, pickup and delivery trucks and trucks required for the conveyance of special equipment; motorcycle delivery units; dual-control automobiles used exclusively for driver training; passenger cars equipped with two-way radios, motorcycles, jeeps, and boats needed and used for fire prevention,

fire fighting and other activities for safeguarding public safety, public property, or for criminal law enforcement; ambulances or other passenger vehicles specifically equipped and regularly used for ambulance services; buses and station wagons regularly used for the mass transportation of numbers of people and essential to the efficient management of the operating agency of the State.

(3) An agency purchasing or operating passenger-carrying vehicles under the provisions of this Section shall file with the Comptroller by September 15 of each fiscal year, a list itemizing the passenger-carrying vehicles to be maintained and operated. The list also shall be amended and corrected by such agency from time to time as the identity of passenger cars being maintained and operated within the prescribed limitation changes during the year, and none of the funds appropriated by this Act shall be available to such agency for expenditure unless and until this restriction has been complied with.

(4) In those instances where the language of this Act authorizes the purchase of passenger cars, none of the appropriated funds so authorized shall be expended for the purchases of a passenger car having a wheelbase in excess of one hundred and nineteen (119) inches; provided, however, that if passenger cars of longer wheel base are offered at lower prices, the Board of Control may purchase same.

u. Political Aid and Legislative Influence Prohibited. None of the moneys appropriated by Articles I, II, III, and IV of this Act, regardless of their source or character, shall be used for influencing the outcome of any election, or the passage or defeat of any legislative measure. This prohibition, however, shall not be construed to prevent any official or employee of the State from furnishing to any Member of the Legislature, or to any other State official or employee or to any citizen, any information or facts pertinent to the official duties and responsibilities of the State agency he represents.

None of the funds appropriated in this Act shall be expended in payment of the full or partial salary of any State employee who is also the paid lobbyist of any individual, firm, association or corporation.

No employee of any State agency shall use any State-owned automobile except on official business of the State, and such employees are expressly prohibited from using such automobile in connection with any political campaign or any recreational activity.

None of the moneys appropriated by this Act shall be paid to any official or employee who violate any of the provisions of this Section.

The head or heads of each agency of the State shall furnish each employee of such agency with a copy of the three (3) paragraphs immediately preceding this one, and shall take a receipt therefor from each employee. The preceding sentence shall not be construed to mean that new receipts are to be obtained each year from continuing employees who have previously receipted for copies of identical provisions prohibiting political aid and legislative influence. The receipts shall be kept accessible for public inspection. The failure of a head of any agency of the State to comply with this paragraph constitutes malfeasance in office, and upon judgment so adjudicating such agency head shall be removed from office.

v. Court Representation of the State. Except as otherwise provided by the Constitution or general or special statutes, the Attorney General shall have the primary duty of representing the State of Texas in the trial of civil cases, and none of the funds appropriated in this Act may be expended by any agency of the State Government to initiate a law suit or defend itself against any legal action unless such agency is represented in that particular action by the Attorney General or a member of his staff. Where the Attorney General, District Attorney, Criminal District Attorney, County Attorney, or other lawyer is required by constitutional or statutory provision to represent a State agency, State official, State board or State department, no compensation shall be paid from any appropriation made in this Act to any other attorney for representing the State of Texas in the trial of a civil law suit except in those cases where the Attorney General, District Attorney, Criminal District Attorney, County Attorney or other lawyer, as the case may be, has requested that the attorney or attorneys employed by the particular State agency, State official, State department or State board, assist with the trial of the particular law suit. This provision shall not, however, restrict a State agency, State official, State department or State board in the investigation and assembling of evidence in connection with a pending or prospective civil suit. Further, this provision shall not prohibit the foregoing State officials, State agencies, State board or State departments and their employees from investigating, filing or presenting a claim, owing to the State of Texas, when such claim is filed with or presented to an individual, association, corporation, guardian, administrator, executor, receiver, trustee, legal representative, or probate court.

This provision was not intended and shall not restrict the Attorney General from employing special assistants to assist in the trial of civil suits to be paid from the appropriations therefor made to the Attorney General's Office.

w. Outside Legal Counsel. Prior to expenditure of funds for retaining outside legal counsel, agencies and departments covered by this Act shall request the Attorney General to perform such services. If the Attorney General cannot provide such services, he shall so certify to the requesting agency who may then utilize appropriated funds to retain outside counsel.

x. Prison-Produced Goods. In order that all State agencies and institutions covered by this Act fully utilize funds herein appropriated, it is the intent of the Legislature that such agencies and institutions, shall purchase goods produced by the Texas Prison System when such goods are equal to or lower in price than goods of a comparable quality when purchased on the open market.

13. Payments For Injuries. Pursuant to Chapter 377, Acts, 1959, Fifty-sixth Legislature, Regular Session (codified as Article 6822a), appropriations made in this Act for consumable supplies and materials, current and recurring operating expense, general operating expenses, other operating expenses, or general institutional expense, may also be expended for paying necessary drug, medical, hospital and laboratory expenses for the care and treatment of any State employee injured while performing the duties of any hazardous position to which he is assigned by his State employment. For the purposes of this Section, "hazardous position" shall mean one for which the regular and normal duties inherently involve the risk or peril of bodily injury or harm.

The expenditure of any appropriation for the purposes authorized by this Section shall have the approval of the Governor, shall be made only to the vendors of necessary drugs, medical, hospital or laboratory services, and shall not exceed the amounts appropriated for the purposes stipulated in the preceding paragraphs nor result in jeopardizing the financing of the regular functions or services of the respective State agency.

Requests for payment must be accompanied by a statement from the vendor indicating the amount paid by insurance and the balance due. In the event of no insurance payment, the request must be accompanied by a statement, signed by the employee or next of kin, to the effect there was no insurance in effect at the time of the injury. Request for payment shall not constitute admission of liability of the State, the agency, or any employee.

Where a State employee has received benefits through payments by the State pursuant to this Section, and also has received other liability benefits as a consequence of the same injury, such employee shall pay to the State Treasury all sums received or paid in his behalf as damages, for medical and hospital bills, up to but not in excess of the amounts of any such payments made by the State. No agency of this State which makes payments pursuant to this Section shall present the name of any employee who has failed to comply with this paragraph to the State Comptroller for the issuance of any Treasury warrant payable to such an employee.

The provisions of this Section shall not apply to any agency of the State authorized to provide workmen's compensation insurance for its employees.

SECTION 6. CONSTRUCTION PROJECTS

All requests for construction projects shall be cleared through the Vice President for Business Affairs for approval by the President and the Board of Regents.

SECTION 7. CONTRACTS-ARCHITECTS

1. For Construction Projects. All contracts for construction projects are to be made in accordance with standard procedures and must be cleared through the Vice President for Business Affairs to the President, and then the Board of Regents.

2. Other Contracts. Contracts for supplies, equipment, or services for which an appropriation has been approved by the Board of Regents shall be signed by the Vice President for Business Affairs. Contracts of a continuing nature with the U. S. Government shall be signed by the Vice President for Business Affairs. All other contracts shall be processed in the same manner as construction contracts.

3. Building Construction. Prior to the allocation, expenditure or encumbrance of any funds appropriated by this Act, including funds provided through Article VII, Sections 17 and 18, of the State Constitution, for individual building construction projects costing in excess of twenty-five thousand dollars ($25,000), other than classrooms, library and laboratory building projects. Notice of intent shall be filed with the Legislative Budget Board and the Governor's Division of Operations Analysis.

4. Architectural Fees. Architectural fees paid from funds appropriated in this Act shall be governed by the schedule and provisions as outlined in H.B. 139, 63rd Legislature, Regular Session, 1973.

SECTION 8. DISBURSEMENTS

1. How Made. Disbursements of all funds shall be made only on vouchers after the budget head has signed for goods or services received.

2. Unauthorized. University funds shall not be used to pay fees for individual memberships in scientific or other societies nor to pay subscriptions to professional magazines for individuals.

3. Refunds of Deposits. Any money deposited into the State Treasury which is subject to refund as provided by law shall be refunded from the fund into which such money was deposited, and so much as is necessary for said refunds is hereby appropriated.

SECTION 9. VOUCHERS

1. How Prepared. Voucher forms will be supplied to all vendors when orders are placed through the State Board of Control. Vendors will complete these forms, execute the affidavit on the original, and send said purchase vouchers to the Business Office. In all events, the vendor shall place his name in the affidavit and some authorized employee shall sign for the vendor. Upon receipt of the merchandise the budget head will execute a receiving report indicating the quantity received, its condition, and its acceptability as to specifications. After he has signed the receiving report and has submitted it to the Business Office, a careful check will be made against the original purchase order to see if the invoice or purchase voucher and receiving report conform to all specifications, correctness of prices and extensions, and discounts. An authorized employee in the Business Office will approve the purchase voucher for payment and file it along with the purchase requisition and purchase order as support for payment.

The Business Office will complete the purchase voucher showing the voucher number, date of voucher, number and name of account to be charged, object classification of expenditure, and the appropriate fund from which the expenditure is to be made.

Special local fund vouchers will be prepared covering invoices received on local purchase orders. The same procedure will be made of local vouchers as stated above.

Both State and local vouchers will be audited and signed by the Vice President for Business Affairs, the Auditor, or the Chief Accountant of the University. The original and one copy of the State voucher will then be sent to the State Board of Control where they will be checked against the purchase order and finally sent to the State Comptroller for issuance of a warrant. The warrants will then be returned to the University where they will be recorded and mailed to the vendor.

2. Local Fund Vouchers. Local fund vouchers will be processed in the same manner, but they will not be sent to the State Board of Control. A local check will be issued by the Business Office to the vendor.

SECTION 10. SALES

1. Surplus Products and Equipment. No surplus products or obsolete equipment with an inventory value in excess of $2,000.00 shall be sold without the advance approval of the Board of Regents, and all such sales of any item with an inventory value of $2,000.00 or less shall be approved in advance by the Vice President for Business Affairs, all sales shall be for cash or its bankable equivalent.

Receipts to any agency of the State Government specified in this Act which are received from the sale of surplus property, equipment, livestock, commodities or salvage pursuant to the provisions of Senate Bill No. 190, Chapter 414, Acts, Fifty-fifth Legislature, Regular Session, 1957, as amended, are hereby appropriated to such State agency for expenditure during the fiscal year in which such receipts are received. Receipts from such surplus and salvage sales are to be credited to the appropriation item from which like property, equipment, livestock, or commodities would be purchased.

2. Use of Cash Registers. Whenever the volume of cash sales justifies the use of a cash register, only registers with recording tapes, equipped to issue numbered sales tickets showing the amount of the sales will be used unless otherwise authorized by the Auditor. When recording tapes are used the tape must accompany the departmental deposit of the funds in the Business Office. When recording tapes are not used, or with the approval of the Auditor are retained by the department concerned, a summary of the cash register transaction approved as to form by the Auditor must be attached to the deposit made in the Business Office.

3. Cash Sales Receipts. Departments not using cash registers will use cash sales receipts issued in triplicate. The original receipt is issued to the Purchaser by the employee making the sale at the time of the sale. The duplicate will be used to record the transaction and the triplicate will be kept in numerical file.

4. Admission Tickets. All admission tickets will be prenumbered serially. It shall be the responsibility of the Chairman of any department sponsoring an activity to account for all tickets available to him and to account for all cash received from the sale of tickets. All tickets for athletic events are to be approved as to form by the Auditor and are to be purchased for delivery to the Business Office. All proceeds from the sale of admission tickets must be deposited in the Business Office.

5. Charge Sales. The laws of Texas do not authorize credit sales; therefore, no charge sales will be made.

6. Charges Against Student for Loss or Damage. All charges against students for loss and damages must be billed in detail and turned in to the Business Office on the twenty-fifth of each month, or immediately preceding the end of a given semester. Supplies normally used by a student and not in excess of those required by the average student in the class will not be charged to the student.

7. Reimbursements and Payments. Any reimbursements received by an agency of the State for authorized services rendered to any other agency of the State Government, and any payments to an agency of the State Government made in settlement of a claim for damages, are hereby appropriated to the agency of the State receiving such reimbursements and payments for use during the fiscal year in which they are received.

The reimbursements and payments received shall be credited by the Comptroller to the agency's current appropriation items or accounts from which the expenditures of like character were originally made, or in the case of damage settlements to the appropriation items or accounts from which repairs or replacements are made; provided, however, that any refund of less than Fifty Dollars ($50) to an institution of higher education for postage, telephone service, returned books and materials, cylinder and container deposits, insurance premiums and like items, shall be deposited to the current fund account of the institution in the State Treasury and such funds are hereby reappropriated.

8. Sales of Lists. The proceeds of all sales of lists which are prepared by State agencies for which appropriations are made in this Act shall be deposited to the credit of the appropriation item out of which the costs of preparation are made.

9. Vending Machines Authorized. Except in those areas which are now served by vendors operating under supervision of the Blind Commission, vending machines may be placed on State-owned property or in State-owned buildings only with the approval of the governing boards or commissions and such approval shall

be recorded in the minutes of the body. A copy of the contract shall be filed with the State Board of Control showing the location within the agency and the terms of the contract. Proceeds, net revenue, rentals or commissions received shall be accounted for as State revenue and the amount so collected is hereby appropriated to the institution, board, commission or agency for use as directed by the board or commission authorizing the installation. Vending machines located in areas or buildings now being serviced by vendors under the supervision of the Blind Commission must be operated under a joint contract with the machine owners and the vendors operating under the supervision of the Blind Commission.

Vending machines may be placed on the Campus only with the approval of the Vice President for Business Affairs. Vending machines as used here include all devices into which a coin is inserted to receive goods or services.

10. Pay Station Telephones Authorized. Pay station telephones may be located in State-owned buildings or on State-owned land only with the approval of the governing board and the net proceeds shall be collected and accounted for as State revenue and the amount so collected is hereby appropriated for use by the agency as determined by the governing board.

SECTION 11. INVENTORY

1. University Property. Each department chairman shall be responsible through authorized channels for all University property under his control. An actual physical inventory must be taken of all such properties during each fiscal year on forms supplied by the Purchasing Agent.

2. When Due. The Purchasing Agent will set the date when each department must complete its inventory.

3. Deletion of Property from Inventory. When a department wishes to delete property from the inventory, written request must be made to the Purchasing Agent who will in turn file a request to delete the property with the State Auditor.

4. Interdepartmental Transfers. In case of transfer of property from one department to another, the Purchasing Agent has full authority to approve or disapprove such requests. Temporary lending between departments of the University must be recorded and accounted for by the department with whom the item is carried on official inventory.

5. Reporting Lost, Stolen or Damaged Property. The department heads responsible for State property must notify the University Police Department in case of any lost, or stolen property, or property damaged by negligence. This

notification should be immediate upon discovery of such loss or damage. The loss shall then be reported in writing to the Office of the Vice President for Business Affairs. This notice should include a description of the item, inventory number when applicable, and any known circumstances with regard to the loss or damage. The Vice President for Business Affairs will make the required reports to the State Auditor's Office. After all avenues of recovery have been exhausted, a request for deletion from the inventory will be made. The Vice President for Business Affairs shall be responsible for enforcement of the State's claim in cases where the State Auditors request such reimbursement. All employees should become familiar with House Bill 753, 52nd Legislature, Regular Session, Accounting and Responsibility for Use of State Property.

ACCOUNTING AND RESPONSIBILITY FOR USE OF STATE PROPERTY
HOUSE BILL NO. 753
52ND LEGISLATURE, REGULAR SESSION

AN ACT providing for the accounting and responsibility for and use of State property possessed by State Departments, agencies, boards and instrumentalities; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Legislative Finding and Purpose. The Legislature finds that the State has a very substantial investment in real and personal property and that a substantial portion of the annual income of the State is spent to acquire property for State purposes and to maintain State property. The purpose of this Act is to establish a system for the orderly accounting for State property, to establish responsibility for the maintenance and care of State property and to prescribe the method of fixing pecuniarly liability for the misuse of State property by officials and employees. The principles embodied in this Act are now found in the common law and statutes of this State; this Act restates those principles and prescribes the implementing procedures. The State has a real interest in its property and is entitled to having it managed and used in a sound and business-like manner so that the maximum benefits may be obtained from it and the State's investment therein protected.

Section 2. Definitions. The provisions of Articles 10, 11, 12, 14, 22, and 23, Revised Civil Statutes of Texas, 1925, and Acts, Fiftieth Legislature, 1947, Chapter 359, on the interpretation of statutes shall apply specifically to this Act. In addition to these standard definitions, in this Act, unless the context otherwise requires:

(a) "Agency" shall include any State department, agency, board or other instrumentality, whether it is financed in whole or part by funds appropriated by the Legislature or not: but shall not include local political subdivisions of the State, such as counties, cities, towns, school districts, flood control districts, irrigation districts, and the like.

(b) "Agency head" shall mean the full-time State elected or appointed official or officials who administer the agency or the executive who has been appointed to administer the agency of a part-time State elected or appointed official or officials.

Section 3. Property Accounting. All real and personal property belonging to the State shall be accounted for by the head of the agency which has possession of the property.

(a) The Comptroller of Public Accounts shall administer the property accounting system established by this Act. The State Auditor shall administer the property responsibility system established by this Act. The Comptroller

shall issue such rules and regulations and manual of instruction and prescribe such records, and forms as he deems necessary to accomplish the objects of this Act subject to the approval of the State Auditor. The State Auditor is directed to cooperate with the Comptroller in the exercise of the Comptroller's rule-making powers herein granted by giving technical assistance and advice.

(b) The Comptroller shall maintain a complete and accurate set of centralized records of State property. However, where the Comptroller finds that an agency has demonstrated its ability and competence to maintain complete and accurate detailed records of the property it possesses without the detailed supervision of the Comptroller, the Comptroller may direct that the detailed records be kept at the principal office of such agency. Where the Comptroller issues such order, the Comptroller shall keep only summary records of the property of such agency and the agency shall keep such detailed records as the Comptroller directs and furnish the Comptroller with such reports as such times as the Comptroller directs.

(c) Each agency head shall cause each item of State property possessed by his agency to be marked so as to identify it. The agency head shall follow the instructions issued by the Comptroller in marking State property.

Section 4. Agencies and Property Subject to Control.

(a) All State agencies shall comply with the provisions of this Act and shall keep the property records required by the Act.

(b) All real property owned by the State shall be accounted for by the agency which possesses the property. However, the real property administered by the General Land Office shall be accounted for by that office and not by the system prescribed in this Act, and the real property administered by the permanent funds established by the Legislature and people shall be accounted for by the agency now charged with its administrations and not by the System prescribed in this Act.

(c) All personal property owned by the State shall be accounted for by the agency which possesses the property. The Comptroller shall by regulation define what is meant by personal property for the purpose of this Act, but such definition shall not include nonconsumable personal property having a value of Fifty Dollars ($50) or less per unit. In promulgating such regulations, the Comptroller shall take into account the value of the property, its expected useful life, and the cost of record keeping should bear a reasonable relationship to the cost of the property upon which records are kept. The Comptroller shall consult with the State Auditor in making such regulations and the Auditor shall cooperate with the Comptroller in the exercise of this rule making power by giving technical assistance and advice.

Section 5. Property Responsibility. Each agency head is responsible for the proper custody, care, maintenance, and safekeeping of the State property possessed by his agency.

(a) Each agency head shall designate either himself or one of his employees as property manager. The Comptroller shall be informed in writing by the agency head of the name of the property manager and shall be informed of any changes. Where the Comptroller finds that convenience and efficiency will be served, he may permit more than one property manager to be appointed by the agency head.

(b) The property manager shall maintain the required records on all property possessed by the agency and shall be the custodian of all such property.

(c) No person shall entrust State property to any State official or employee or to anyone else to be used for other than State purposes.

(d) When an agency's property is entrusted to some person other than the property manager, the property manager shall require a written receipt for such property executed by the person receiving custody of the property. When the possession of property of one agency is entrusted to another agency on loan, such transfer shall be done only when authorized in writing by the agency head who is lending such property and the written receipt shall be executed by the agency head who is borrowing such property. The property manager is relieved of the responsibility for a property which is the subject of such a receipt.

(e) Each agency shall make a complete physical inventory of all property in its possession once a year. The inventory shall be taken on the date prescribed for the agency by the Comptroller.

(f) The agency head shall forward a signed statement describing the method by which the inventory was verified, along with a copy of such inventory within forty-five (45) days after the inventory date for the agency.

(g) The Comptroller shall supervise the property accounting records of each agency so that the records accurately reflect the property currently possessed by the agency. The Comptroller shall prescribe the methods whereby items of property are deleted from the property records of the agency. Property that is deleted because it has become surplus and has been disposed of under the laws relating thereto administered by the Board of Control shall be deleted only upon authorization of the Board of Control. Property that is deleted from the agency records for other reasons, including obsolescence, shall be deleted only upon authorization of the State Auditor.

Section 6. Transfer of Property to Incoming Agency Head. When there is a change in agency heads or property managers, the incoming agency head or property manager shall execute a receipt for all agency property accounted for to the outgoing agency head or property manager. A copy of such receipt shall be delivered to the Comptroller, to the State Auditor and to the outgoing agency head or property manager. No further warrants in favor of the outgoing agency head or property manager shall be drawn or paid until the State Auditor has certified that the agency property has been properly accounted for. The State Auditor may make this certification without requiring that a physical inventory be taken.

Section 7. Pecuniary Liability. Where agency property disappears, whether through theft or other cause, as a result of the failure of the agency head, property manager or agency employee entrusted with the property in writing to exercise reasonable care for its safekeeping, such person shall be pecuniarily

liable to the State for the loss thus sustained by the State. Where agency property deteriorates as a result of the failure of the agency head, property manager or agency employee entrusted with the property in writing to exercise reasonable care to maintain and service the property, such person shall be pecuniarily liable to the State for the loss thus sustained by the State. Where agency property is damaged or destroyed as a result of an intentional wrongful act or of a negligent act of any State official or employee, such person shall be pecuniarily liable to the State for the loss thus sustained by the State. The liability prescribed by this section may be found to attach to more than one person in a particular instance; in such cases, the liability shall be joint and several.

Section 8. Reports - Investigation. When any State property has been lost, destroyed or damaged through the negligence or fault of any State official or employee, the agency head responsible for such property under the provisions of this Act shall immediately report such loss, destruction, or damage to the State Auditor. Upon learning in any manner of such property loss, destruction, or damage, the State Auditor shall investigate the matter. If the investigation discloses that an injury has been sustained by the State through the fault of a State official or employee, the State Auditor shall make written demand upon such State official or employee for reimbursement to the State for the loss so sustained.

Section 9. Enforcement of State's Claim. In case the demand by the State Auditor, in accordance with this Act, for reimbursement for property loss, destruction, or damage is refused or disregarded by the State official or employee upon whom such demand is made, the State Auditor shall report the facts to the Attorney General. If, after an investigation of the facts, the Attorney General finds that legal liability may be adjudged against the State official or employee, he shall take such legal action to recover the monetary loss of the State property occasioned by the loss, damage or destruction as in his opinion may be deemed necessary. Venue for all such suits instituted against a State official or employee shall lie in the Courts of appropriate jurisdiction of Travis County.

Section 10. Sanctions. When any agency fails to keep the records required under the provisions of this Act or fails to take the annual physical inventory, the Comptroller may refuse to draw any warrants on behalf of such agency.

Section 11. Information Copy to State Employees. Each agency head shall distribute a copy of this Act to each official and employee of his agency and shall give a copy to each new employee of the agency.

SECTION 12. USE OF UNIVERSITY PROPERTY

Non-Official Use Prohibited. University property shall be used only for official university business. No employee of the university shall use for his own personal benefit or pleasure any property of the university except books from the library and other such items of well established professional use. No personal long distance calls shall be charged to official telephones. The use of university owned motor vehicles in connection with any illegal or unauthorized activity in which a university employee is interested and the use of such motor vehicles for other than strictly official business is prohibited by law, regulation and policy. Property belonging to the university cannot be loaned to either university or non-university personnel. Each employee should become familiar with House Bill No. 753, 52nd Legislature, State Property.

SECTION 13. USE OF FACILITIES

1. Educational and General Facilities. Buildings and classrooms are primarily reserved for the use of academics, administration and other operations of Midwestern University and secondarily for activities of Departmental and Student Organizations-sponsored activities.

Any Educational and General facility that is to be used for any other purpose or for revenue producing purposes must be approved by the Administrative Council, and the fee for use fixed by that Council.

2. Auxiliary Enterprises. Auxiliary Enterprises facilities are constructed, equipped and operated as revenue producing, self-supporting activities. The rental and building use fees and student activity fees provide for normal use of facilities for individual students and student organizations.

Other users of Auxiliary facilities will be assessed a rental charge after prior approved by the Administrative Council. Such requests should be made to the University Center Director.

3. Use of Midwestern Bus. Policy for use of the bus will be as follows:

a. Driver--must be approved by the Physical Plant Director and must have a valid chauffeurs license in his possession.

b. University bus restricted to official university business only.

c. Insurance--Minimum coverage is to be:

(1) Bodily Injury Liability, $100,000 each person, $300,000 each accident.

(2) Property Damage Liability, $50,000.

(3) Collision or upset $100 deductible.

(4) Fire, lightning and transportation, Actual Cash Value.

(5) Theft, Actual Cash Value.

(6) Combined Additional Coverage, Actual Cash Value.

Insurance is to be kept in force by the Business Office.

d. Maintenance--To be performed by the Physical Plant Department unless otherwise approved by the Vice President for Business Affairs. Bus is to be parked at the Physical Plant building at all times when not in use. Sufficient time must be provided between trips to allow for reservicing.

e. Coordinating for Use of Bus--The Director of Athletics must coordinate with the Physical Plant Director for use of the bus including servicing and provisions for a driver.

f. Exceptions--Any exceptions to the above stated policy must be approved by the Administrative Council.

4. Use of Midwestern 18-Passenger Station Wagon. Policy for use of the 18-passenger station wagon will be as follows:

a. Driver--Must have a valid operators license in his possession and be a member of the Faculty or Staff.

b. Use--Restricted to official university business only. For use by organized student groups representing Midwestern at off-campus functions. Athletic Department has first priority provided their use of the station wagon is scheduled on the calendar by September 15 of each year. Reservations by other groups to be made on a "first-come, first-serve" basis. Requests for use of station wagon are to be made on requisitions to the Physical Plant Director's Office through the Business Office. (The intent is to have the Business Office certify on the requisition that the requesting group has sufficient budgeted funds to finance the mileage charge and for the Physical Plant Department to maintain a calendar of reservations.)

c. Insurance--Minimum coverage is to be:

(1) Bodily Injury Liability, $100,000 each person, $300,000 each accident.

(2) Property Damage Liability, $50,000.

(3) Collision or upset $100 deductible.

(4) Fire, lightning and transportation, Actual Cash Value.

(5) Theft, Actual Cash Value.

(6) Combined Additional Coverage, Actual Cash Value.

Insurance is to be kept in force by the Business Office.

d. Maintenance--To be performed by the Physical Plant Department unless otherwise approved by the Vice President for Business Affairs. Station wagon is to be parked at the Physical Plant building at all times when not in use. Sufficient time must be provided between trips to allow for reservicing.

e. Mileage Charge--The using department's budget will be charged at the rate of 15¢ per mile or $5., whichever is the greater amount.

f. Fuel and Oil--A Midwestern credit card will be signed out to the driver for purchases of fuel and oil. All receipts must be turned in to the Physical Plant Director's Office with the credit card when the trip is completed.

g. Records--The Physical Plant Director's Office will maintain a calendar of trips scheduled. They will also maintain accurate records of fuel and oil costs, and departmental charges which are to be turned in to the Business Office monthly.

h. Cancellations--to prevent excessive reservations of the station wagon, a $5. charge will be made for all cancellations.

5. Use of Midwestern 9-Passenger Station Wagon. Policy for use of the 9-passenger station wagon will be as follows:

a. Driver--Must have a valid operators license in his possession and be a full-time member of the Faculty or Staff.

b. Use--To be used for out-of-city official Midwestern business travel only. To be used primarily by Intercollegiate Athletics and Physical Education.

A calendar shall be kept by the Athletic Department of reservations for use. Reservations shall be made with the Athletic Director.

c. Insurance--Minimum coverage is to be:

(1) Bodily Injury Liability, $100,000 each person, $300,000 each accident.

(2) Property Damage Liability, $50,000.

(3) Collision or upset, $100 deductible.

(4) Comprehensive, $50 deductible.

d. Maintenance--To be performed by the Physical Plant Department unless otherwise approved by the Vice President for Business Affairs. Sufficient time must be allowed between trips for reservicing. The cost of all repair parts will be charged to the Athletic Department.

e. Mileage Charge--The using department's budget (other than the Office of Intercollegiate Athletics) will be charged at the rate of 10¢ per mile or $5.00, whichever is the greater amount. Credit for all charges will be given to the Office of Intercollegiate Athletics.

f. Fuel and Oil--A Midwestern credit card will be signed out to the driver for purchases of fuel and oil. All receipts must be turned in to the Physical Plant Director's Office with the credit card when the trip is completed. Invoices from the oil companies for credit card purchases will be charged to the Office of Intercollegiate Athletics.

g. Records--The Physical Plant Director's Office will maintain accurate records of fuel, oil, and repair costs, and departmental charges which are turned in to the Business Office monthly.

SECTION 14. TRAVEL REGULATIONS

1. General Travel Provisions.

a. The amounts specifically appropriated in this Act to each agency of the State for the payment of travel expenses are intended to be and shall be the maximum amounts to be expended by employees and officials of the respective agencies. None of the moneys appropriated by this Act for travel expenses may be expended unless the official travel and the reimbursement claims therefor are in compliance with the following conditions, limitations, and procedures.

b. "Designated Headquarters," as set out in Senate Bill No. 272, Fifty-sixth Legislature, shall be the area within the corporate limits of the city or town in which an employee is required to maintain his official headquarters. At a place not within the corporate limits of a city or town, his "designated headquarters" means the area within a five-mile radius of the place at which he is required to maintain his official headquarters.

c. Heads of agencies shall plan the travel of all employees under their authority so as to achieve maximum economy and efficiency. Travel expenses may be reimbursed from the appropriations made in this Act only where the purposes of travel performed are clearly for the conduct of the State's official business and in consonance with the legal responsibilities of the agency of the State represented.

Travel expense accounts cannot be presented for payment until after the month in which it is incurred has expired.

None of the funds appropriated in this Act shall be used for the reimbursement for travel expenses incurred unless there is such a description in the expense account submitted to the Comptroller as to identify persons or places contacted and/or the nature of the official business of the State performed properly within the legal responsibilities of the agency; but this provision shall not contravene specific statutes providing otherwise.

2. Transportation Allowance. None of the moneys appropriated by this Act for travel expense may be expended to reimburse costs of transportation on official business except in compliance with the following conditions, limitations, and rules:

a. The rate of such reimbursement for the employee's personally owned automobiles shall be twelve (12) cents per mile. No additional expense incidental to the operation of such automobile shall be allowed. None of the moneys appropriated for travel expense for mileage within the State of Texas for use of personally owned automobiles shall be expended unless the shortest route between points is used. This shall also include the use of Farm-to-Market roads.

The maximum reimbursement for out-of-state transportation for the use of personally owned motor vehicles shall be that amount that the employee would have incurred had he taken the lowest available airline fare plus the per diem necessary to complete such flight. The determination of the allowance due owners of personally owned motor vehicles in compliance with this paragraph shall be as follows: (1) Per diem shall be determined by the use of an airline schedule which would have sufficed for the performance of the official business. (2) Expenses of transportation to airfields from points where commercial air transportation is not available shall be allowed in addition to the cost of the lowest available airline fare. (3) When additional passengers are conveyed in out-of-state trips in personally owned motor vehicles, they shall receive as their expenses per diem based on motor vehicle travel time. (4) Persons traveling to points not served by airlines shall receive mileage and per diem based on actual miles traveled and other expenses as authorized elsewhere in this Act for out-of-state travel.

The rate of reimbursement to executive heads and key officials, including members of the Legislature, for travel in their personally owned airplanes within the boundaries of the State of Texas and between points of necessary official business shall be sixteen (16) cents per highway mile. The rate of reimbursement for other State employees for travel in their personally owned airplanes within the boundaries of the State of Texas and between points of necessary official business shall be twelve (12) cents per highway mile.

b. An employee traveling by rented or public conveyance, or the commercial transportation company furnishing same, is entitled to a transportation allowance equal to the actual cost of necessary transportation for performing official business. The rate of reimbursement for any employee for whom funds are appropriated in this Act, for air transportation shall be the lowest available airline fare unless the lowest available airline fare is not available. This allowance shall not include federal taxes from which the employee and the State Government are legally exempt. Payment of said transportation allowance may be made by either of the following methods, upon selection by the executive head of the employing State department or agency in advance of authorized official travel:

Where the employee pays for public transportation from his personal funds, receipts for such necessary transportation, excluding receipts for bus, taxi or limousine faires, shall be obtained and attached to the employee's expense account when submitted. Receipts as used in this provision shall be evidence that transportation was purchased.

Executive heads of State departments and agencies may request commercial transportation companies to furnish required transportation for official business to designated officials and employees of such departments and agencies, upon the presentation to cooperating transportation companies of transportation requests approved by the head of the department or agency requesting such transportation. The transportation request shall specify the class of transportation authorized.

The cost of such transportation services shall be billed monthly to the respective departments and agencies, and paid by the Comptroller upon the submission of a purchase voucher showing the detail of such furnished transportation and the approval by the respective department or agency.

To facilitate auditing and verification of such charges, transportation companies shall list on their billing the point of origin and point of destination of each trip and shall also show the tax of the fare charged. The State department or agency shall attach to each account a complete statement setting out in detail why each trip listed was necessary in the operation and maintenance of that department or agency.

c. No claim for public transportation will be paid unless it is in compliance with this Section.

3. Per Diem Allowance. None of the moneys appropriated by this Act for travel expenses may be expended for reimbursing the cost of meals, lodging, or subsistence expenses incurred in official travel except in compliance with the following conditions, and limitations:

a. Rates of allowance. Each employee traveling on State business inside the boundaries of the State of Texas shall be allowed, in lieu of actual expenses incurred for meals and lodging, a flat per diem rate of not to exceed eighteen dollars ($18).

Each employee traveling on State business outside of the boundaries of the State of Texas shall receive reimbursement for the actual cost of meals, lodging and airport parking fees, not to exceed Thirty-five Dollars ($35.00) per day. When both in-state and out-of-state travel occur in the same calendar day, the rate of travel allowance for all travel in that day shall be in an amount not to exceed Thirty-five Dollars ($35.00) per day.

b. Day defined. In computing the rates of per diem allowance in lieu of subsistence for continuous travel of more than twenty-four (24) hours, the calendar day (midnight to midnight) will be the unit, and for fractional parts of a day at the commencement or ending of such continuous travel, constituting a travel period, one-fourth (1/4) of the rate for a calendar day will be allowed for each period of six (6) hours or fraction thereof. A fraction of a per diem period is defined to be two (2) hours or more. The four (4) parts of the calendar day for in or out-of-state travel shall be as follows:

(1) 12:01 a.m. to 6:00 a.m. (2) 6:01 a.m. to 12:00 a.m.
(3) 12:01 p.m. to 6:00 p.m. (4) 6:01 p.m. to 12:00 p.m.

For continuous travel of less than twenty-four (24) hours, constituting a travel period which requires the securing of lodging, such period will be regarded as commencing with the beginning of the travel and ending with the completion thereof, and the per diem allowance shall be calculated in the same manner prescribed in the preceding paragraph.

c. The out-of-state allowance shall not apply to those employees whose duties customarily require them to cross state boundary lines in carrying out their day-to-day functions connected with official state business. These employees shall be reimbursed at the rate prescribed for the regular per diem allowance.

d. An employee whose duties require travel for periods which do not require him to sleep away from his designated headquarters shall receive a partial per diem allowance for meals rather than a per diem allowance. Such partial per diem allowance shall be determined by the head of the agency and shall be based upon a reasonable estimate of the actual cost of the meals involved. In computing the partial per diem allowance, the travel period shall commence at the time the employee departs from his designated headquarters. In no event will the partial per diem allowance exceed seven dollars ($7) per day.

e. When conditions warrant it and under rates established by the agency, persons authorizing travel may reduce the per diem allowance for any part of an employee's travel, provided that such employee shall be notified of such reduced per diem before being allowed to incur any expense. It is the intention of this Subsection that employees whose living costs are unusually low when engaged in travel, such as those camping out, need not be paid the full per diem allowance.

A traveling State employee may return to his headquarters daily or on the weekend rather than stay out at the State's expense and by so doing the expense involved shall be considered as State business, providing however, that the actual expense involved, including per diem, mileage, or public transportation in returning to headquarters daily or on weekends, shall never exceed the per diem allowance the employee would have received had he remained at this post of duty.

State's business as is applied to daily round trips, shall be determined by computing the transportation allowance and per diem on a daily basis, including the first and last day of the trip, and when the transportation allowance and per diem for that day exceed $18.00 per day, only $18.00 for that day will be allowed.

4. Travel by Officers and Employees of Agencies of Higher Education. None of the moneys appropriated by this Act may be expended for official travel expense incurred by members of governing boards, executive and administrative heads, or by any employee of State agencies of higher education except for

official business as approved by the appropriate governing board. Official business shall include the formal presentation of original researches by an employee, if before a national, international, regional, or state learned society, and if the travel for such purpose has been approved in advance.

For the purpose of either in-state or out-of-state travel, however, the respective governing boards may delegate their authority to authorize and approve official travel reimbursements from appropriations made in this Act, to presidents, chief executive heads, vice presidents or deans heading State systems or particular agencies of higher education, or to fiscal officers of such systems or agencies; provided, that such delegations of authority shall specify the kind or nature of official travel to be approved and the termination date of such delegated authority, that such delegations are entered in the official minutes of the governing board and that a copy of such delegations is filed with the Comptroller.

5. Exceptions to the Per Diem and Travel Allowances.

a. Judicial officers authorized by law and executive heads of State agencies, including the Executive Director of the Legislative Council, shall be reimbursed for their actual meals, lodging and incidental expenses (exclusive of expenses related to automobiles for which transportation allowance is paid as provided by Section 14a of this Article) when traveling on official business either in or out of the State.

b. Employees of the Governor's Office and employees of other State agencies designated by the Governor to represent him at governmental meetings or conferences when held out of the State shall receive actual meal, lodging, and incidental expenses. State officials and employees who travel to represent the Governor at governmental meetings or conferences may be reimbursed for their expenses out of appropriations made to the agencies by which they are employed.

6. Restriction on Foreign Travel. Article 6823a R. C. S., Section 5 -- "Section 5. Any travel connected with official business of the State for which reimbursement for travel expenses incurred outside the United States is claimed, must have the advance written approval of the Governor. Travel to Mexico, Canada, Hawaii, and Alaska does not require the advance written approval of the Governor."

7. Student Travel Expense Reimbursement. Students traveling as members of a group on behalf of Midwestern University, such as Basketball Team, Choir, etc., will be provided expense money or expenses by the faculty member attending the group.....on the basis of actual expenses, to the extent that funds are available.

If adequate funds are not available for all expenses, students are to receive an equal amount to assist in paying their expenses. The balance of expenses not paid is to be borne by each student.

Travel required by individual students in performing duties in conjunction with work assignments are to be reimbursed to the student on the basis of actual expenses only. These are to be the cost of oil, gas, meals, and lodging. Reimbursement will be made only when such travel has been previously approved on a properly executed Application for Leave of Absence and claim for refund has been submitted on a standard travel voucher form.

Student travel cannot be reimbursed on trips that are related to courses taken for credit hours. Only faculty and staff under full-time contract with Midwestern University may be reimbursed for such expenses.

All student travel involving expenses to the University must be cleared in advance to determine that funds are available and for those funds to be placed in reserve for that specific purpose.

SECTION 15. EMPLOYMENT POLICIES AND PROVISIONS

1. Discriminatory Practices. None of the funds appropriated in this Act shall be expended by agencies which practice discrimination based on race, creed, sex or national origin. The State Attorney General shall be specifically responsible for the enforcement thereof upon the request of the Governor.

2. Method of Salary Payments.

a. All annual salaries appropriated by this Act shall be paid in twelve (12) equal monthly installments, except as otherwise provided in Article II of this Act. This paragraph shall not be construed so as to prevent the head of any other agency of the State from paying less than the maximum salary rates specified in this Act for line-item positions, or the employment of part-time employees to fill regular positions provided for in this Act, so long as the salary rates for such part-time employees are proportional to the regular rates for full-time employment.

It is further provided that agencies of higher education and the schools for the blind and deaf in Article IV of this Act which make contracts for less than a twelve-month period may pay salaries in equal monthly payments for the period contracted for.

b. No deduction shall be made from the salary or wages of any State employee who is called for jury service; nor shall such employee be required to account to the State for any fee or compensation received for jury service.

c. None of the moneys appropriated under this Act shall be used for the payment of salaries to any employee who accepts witness fees in contravention of the following provisions:

Any state official or employee called to appear in his official capacity in any judicial action or legislative investigation shall neither accept nor receive any witness fees for such a governmental appearance;

But if the appearance as a witness is not in an official capacity but is to testify from personal knowledge concerning matters related to the inquiry, then such employee or official shall be entitled to any customary witness fees;

And any state employee or official appearing as an expert witness shall be entitled to accept compensation for his appearance only when such appearance shall be made on his own time;

But this prohibition against accepting compensation shall not extend to any mileage or per diem allowance tendered to the state employee or official for expenses incurred while serving as a witness, unless the state official or employee has also made a claim for such expenses against the state, and in no instance shall there be double reimbursement for expenses.

d. Overtime. In order to reimburse employees for work performed in excess of the working hours required by Acts 1963, 58th Legislature, page 184, Chapter 104 (codified as Article 5165a, V.A.C.S.) it is required that compensatory time be granted at the rate of 1-1/2 times the overtime performed within the same month (pay period) that said overtime was accrued. In the case of hospital employees, said employees shall be reimbursed with compensatory time at the rate of 1-1/2 times the overtime accrued in excess of eighty (80) hours over a fourteen (14) day consecutive period.

This provision shall not apply to medical personnel and employees employed in a bona fide executive, administrative or professional capacity, including any employee employed in the capacity of academic administrative personnel or teacher in elementary or secondary schools. Compensatory time for those employees excepted from this provision shall be determined by the Administrator of the agency or institution involved. Provided, however, that any agency or institution subject to the Fair Labor Standards Act, as amended, is authorized to reimburse employees for all authorized overtime by granting compensatory time as specified above or by paying money from funds appropriated by this Act at the rate of 1-1/2 times the regular rate for the overtime performed.

3. Salary Payment, Withholdings, Deductions, and Matching Contributions. The disbursements of moneys appropriated in this Act for salaries and wages shall be subject to the provisions of Public Law No. 68, Seventy-eighth Congress, known as the Current Tax Payment Act of 1943, and any amendments thereto. The officers and employees of agencies for which appropriations are made in this Act also are authorized to make retirement deductions in accordance with the Teachers Retirement or Employees Retirement or Judiciary Retirement Acts on payroll forms prescribed by the State Comptroller, and the Comptroller is directed to issue warrants accordingly.

In each instance in which an operating fund or account is created by the provisions of this Act, the responsible officials of the State are authorized to transfer into such operating fund or account sufficient moneys from local funds and Federal grants of funds to pay proportionally the costs of matching State employees retirement contributions and the State's share of Old Age and Survivors Insurance.

4. Salary Payments.

a. Any employees who distribute their time and duties between general administration, instruction, organized activities related to instruction, and the management of auxiliary enterprises, may receive their total salary payments in proportionate parts from such activities and from the appropriated or available funds therefore.

b. The rate of the salary paid an employee of any educational institution named herein for services during a summer session shall not exceed the salary rate paid the employee for the same or similar services in that institution during the preceding long session.

c. Full-time employees on twelve (12) months basis may receive not more than Thirty-six Hundred Dollars ($3,600) for correspondence course and/or extension center teaching and may not be paid additional money for summer school teaching; and full-time employees on a nine (9) months basis may be paid for correspondence and/or extension center teaching or summer school or other services during the remaining three (3) months of the fiscal year, but may not receive more than Thirty-six Hundred Dollars ($3,600) per annum for correspondence course teaching during the fiscal year and/or extension center work during the regular nine (9) months session.

d. None of the funds appropriated to the agencies and institutions of higher education enumerated in this Act shall be expended in payment of salary or other compensation of any faculty member or employee who advocates the overthrow of the Government of the United States of America, or any State, by force, violence or any other unlawful means.

e. Reporting. (1) Teaching Load Report. Within thirty days following the close of registration for each fall and spring semester, the General Academic Institutions are required to file with their respective governing boards a teaching load report that will include for each teacher evidence to show compliance with a minimum standard teaching load requirements. For those teachers who do not meet the minimum standard requirement, the report must indicate what fraction of time is paid from Faculty Salaries and what other assignment is made for the remainder of the faculty member's time, and the source of funds for payment of his salary other than the appropriation item, "Faculty Salaries."

(2) Small Class Report. The General Academic Institutions of this State shall offer only such courses and teach such classes as are economically justified in the considered judgment of the appropriate governing board. Therefore, along with the teaching load report, each General Academic Institution must file a Small Class Report (excluding individual instruction courses) indicating department, course number, title of course, and name of instructor. Small classes for the purpose of this report are defined as follows: Undergraduate-level classes with less than ten registrations, and Graduate-level classes with less than five registrations, such inventory count date to be the close of registration.

These reports indicating the approval and comments, as appropriate, of the institutional president are to be filed with the governing boards for information, and are to be available for public inspection.

f. Salary Reporting. None of the funds appropriated to institutions of higher education by this Act shall be expended for payment of salary to any person whose salary is being supplemented from other than appropriated funds

until a report showing the amount of salary being paid from other sources has been reported to the Secretary of State.

SECTION 16. WORK BREAK

1. Full-Time Employees. Full-time employees will be entitled to two fifteen minute breaks per day.

2. Part-Time Employees. Part-time employees who work four consecutive hours will be entitled to a fifteen minute break.

SECTION 17. NON-ACADEMIC EMPLOYEE OFFICE HOURS
(This includes all employees on the 40-hour week)

Midwestern University Administrative and Staff office hours will be 8:00 a.m. to 5:00 p.m. Monday through Friday.

The full-time employee work week will consist of forty hours. The senior administrator of each office will schedule each of his employees to a 40-hour week and be held responsible for the 40 hours of each employee's service.

SECTION 18. HOLIDAYS

1. Legal Holidays. As provided by law, the Board of Regents, may adjust the State Legal Holidays to permit efficient academic schedules. The holiday schedule will be as listed annually in the faculty bulletin. Each department head has the authority to adjust various holidays to fit any special needs of his individual department subject to the approval of the appropriate Vice President or the President.

2. Substituting Holidays. Any employee who is required to work on any of the holidays mentioned above, and who does work on any of the said holidays, shall be entitled to compensating time off, with pay, on such day as may be mutually agreed upon by the employee and his supervisor.

SECTION 19. RETIREMENT PROGRAMS

1. Teacher Retirement System of Texas. All regular employees of Midwestern who work one-half time or more are automatically members of the Teacher Retirement System of Texas unless they are eligible and elect to participate in the Optional Retirement Program. A $5.00 annual membership fee and six per cent (6%) of the employee's annual salary up to $25,000.00 in any given fiscal year is deducted from the employee's monthly salary. The amounts deducted are deposited to the individual's account in Austin and draw interest from September 1 of the following year. These deposits (not including the membership fee) may be withdrawn when the employee leaves the employment of the State. Contributions are matched by the State and the State's matching becomes vested after ten years of participation. Further details are available in the Business Office.

2. Optional Retirement Program. Pursuant to Chapter 729, Acts of the 60th Legislature, Regular Session, 1967, the Board of Regents of Midwestern authorized the establishment of an optional retirement system in lieu of active membership in the Teacher Retirement System of Texas. The program was made available as of January 1, 1969. Two carriers of the program were approved by the Board of Regents, (1) Southwestern Life Insurance Company, and (2) Teachers Insurance and Annuity Association and College Retirement Equities Fund (TIAA-CREF). Employees eligible to participate in the Optional Retirement Program as provided by law include:

a. All full-time faculty members appointed at least 4½ months.

b. All full-time administrative, research or professional personnel appointed for at least 4½ months, excluding any person employed in a position which would be in the classified personnel pay plan of the institution if Midwestern had a classified personnel pay plan. The Vice President for Business Affairs shall have the responsibility of ruling on the eligibility of those individuals in question.

c. A full-time person who enters the Program and later reduces to part-time status will remain eligible for the Program.

Eligible individuals for membership in the Optional Retirement Program who were employed prior to January 1, 1969, may choose to participate in the Program no later than the first day of August, 1970. Eligible individuals employed January 1, 1969, or later, shall within ninety days following the date of employment, elect to participate or not to participate in the Optional Retirement Program. A person is automatically considered a member of the Teacher Retirement System of Texas unless he elects to participate in the Optional Retirement Program. Individuals who choose to participate in the Optional Retirement Program will not at a later date have the privilege of transferring back to the Teacher Retirement System of Texas. The amount of withholdings from the participant's earnings and the amount of matching by the State are the same amounts as under the Teacher Retirement System of Texas; the only difference being that there is no annual membership fee for the Optional Retirement Program but rather an administrative charge by the carrier of the Optional Retirement Program which is charged against the individual's contributions. Upon receipt of signed authorization, the Business Office will handle deductions for optional retirement on a Tax Sheltered Basis. The State's matching contribution becomes vested after more than twelve months participation in the Optional Retirement Program by the individual. Additional information is available in the Business Office.

SECTION 20. MEDICAL INSURANCE

1. Full-time employees may at their option, purchase Medical Insurance on a group plan for Midwestern University from Blue Cross-Blue Shield of Texas payment to be handled on a payroll deduction basis. The Midwestern University policy offers hospitalization benefits, medical-surgical benefits, maternity benefits, accidental injury supplement, Major Medical benefits, and related coverages. For additional information contact the Business Office.

2. Staff Benefits. A maximum of $12.50 per month shall be paid by the University hospitalization coverage for all full-time employees who are members of the University's group hospitalization coverage.

Faculty members that are not employeed for either or both of the summer terms can receive the $12.50 credit for the summer months if they are on contract for the next academic year and if they make advance payment of their share of the insurance premiums for the three months concerned.

SECTION 21. TAX SHELTERED ANNUITIES

Full-time employees may participate in a tax sheltered annuity program of Southwestern Life Insurance Company, payment to be handled on a payroll deduction basis. For additional information contact the Business Office.

SECTION 22. MEMBERSHIP DUES AND REGISTRATION FEES

None of the moneys appropriated to the University may be expended for dues, registration fees or any kind of similar expense, incurred in joining or attending any type of organization, unless the membership is in the name of the University.

SECTION 23. MISCELLANEOUS STATUTES

Reporting Appearances Before Federal and State Agencies. The Governor's office may require agencies of the State of Texas appearing before Federal agencies or agencies of other states to submit in writing to the Governor the purpose of such meetings and expression of the policies of the State agency concerning the subject matter of the meeting. After reviewing the policies, the Governor may require the State agency to conform to the policies of the State of Texas as outlined by the Governor and the Legislature before funds appropriated in this Act may be expended for necessary travel and other expenses connected with such appearances.

SECTION 24. SAFETY REGULATIONS

Safety regulations, along with all other precautions normally expected are enforced by alert assistance from all employees. Unsafe conditions and practices creating fire hazards or any other hazardous conditions should be reported immediately to the Chief of Midwestern University Police Department. Any evidence of molesting or destroying fire equipment or other safety precaution devices, or any evidence of its inefficiency, should be reported promptly.

SECTION 25. UNIVERSITY POLICY FOR THE USE OF CHARTER AIRCRAFT

Effective immediately all sponsored air travel involving two or more staff faculty and/or students will utilize only those aircraft and aircraft operators which meet one of the following requirements.

1. Commercial Air Carriers Regularly Engaged in Scheduled Passenger Air Transportation.

   "Scheduled air transportation" means the authorized transportation of passengers by aircraft between the same two points with at least the following frequency:

a. Two flights, or one round trip a week on the same day or days of the week for eight or more weeks in any 90 consecutive days; or

b. A total of 36 or more flights or 18 or more round trips in any 90 consecutive days.

2. Supplemental Air Carrier.

Supplemental air carrier is an operator of large aircrafts (over 12,500 lbs. gross weight), certificated by the Federal Aviation Administration under Part 121, subpart C, Sec. 121.41 of the Federal Aviation Regulations (14 C.F.R.).

3. Air-Taxis.

a. Commercial operator using small aircraft (under 12,500 lbs. gross weight), certificated by the Federal Aviation Administration under Part 135 of the Federal Aviation Administration (14 C.F.R.).

b. Commercial operators using large aircraft (over 12,500 lbs. gross weight) certificated by the Federal Aviation Administration under Part 121, Subpart C, Sec. 121.41 of the Federal Aviation Regulations (14 C.F.R.).

4. Foreign Air Travel.

Air travel to or in foreign countries by institutional groups shall be arranged only through commercial air carriers regularly engaged in scheduled passenger air transportation as defined above.

5. Aircraft Furnished by College or University Benefactors.

Such aircraft and crew must qualify under all regulations as to aircraft, crew, and insurance as outlined for Air-Taxi operations.

Such aircraft operator shall provide the college or university with the following information (Does not apply to certificated scheduled air carriers):

1. Type of certificate.

2. Certificate number.

3. Date issued.

4. Expiration date.

5. Type and registration number of aircraft authorized.

6. Federal Aviation Administration Flight Standards Office having jurisdiction over certificate holder.

7. Schedule of insurance coverage in effect, showing insurance companies, policy numbers, type, amounts, periods of coverage and special conditions, exclusions and limitations.

Insurance Requirements:

The carrier will furnish a certificate of insurance to the chartering institution providing for coverage of not less than $75,000.00 per

passenger and a "rider" naming the institution as an additional insured shall also be furnished.

Flights by Institutional Personnel:

No flights shall be piloted by institutional personnel, with staff, faculty, students or prospective students aboard, unless the pilot and co-pilot (if a co-pilot is required) possesses a commercial license and an instrument rating.

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